DRAFT

ENVIRONMENTAL ASSESSMENT

CHECKLIST

Bull Trout and Westslope Cutthroat Trout Enhancement Through Non-Native Fish Removal

(FWP-CEA-FSH-R1-26-021)

April 1, 2026

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Checklist Environmental Assessment

The Montana Department of Fish, Wildlife and Parks (FWP) has prepared this Draft Environmental Assessment (EA) in accordance with the requirements of the Montana Environmental Policy Act (MEPA). The purpose of an EA is to identify, analyze, and disclose the impacts of a proposed state action. This document may disclose impacts that have no required mitigation measures, or over which FWP, more broadly, has no regulatory authority.

Local governments and other state agencies may have authority over different resources and activities under separate regulations. FWP actions will only be approved if the proposed action complies with all applicable regulations. FWP has a separate obligation to comply with any federal, state, or local laws and to obtain any other permits, licenses, or approvals required for any part of the proposed action.

I. Compliance with the Montana Environmental Policy Act

Before a proposed project may be approved, environmental review must be conducted to identify and consider potential impacts of the proposed project on the human and physical environment affected by the project. The Montana Environmental Policy Act (MEPA) and its implementing rules and regulations require different levels of environmental review, depending on the proposed project, significance of potential impacts, and the review timeline. § 75-1-201, Montana Code Annotated ("MCA"), and the Administrative Rules of Montana ("ARM") 12.2.430, General Requirements of the Environmental Review Process.

FWP must prepare an EA when:

- *It is considering a "state-proposed project," which is defined in § 75-1-220(8)(a) as:*
  (i) a project, program, or activity initiated and directly undertaken by a state agency;
  (ii) … a project or activity supported through a contract, grant, subsidy, loan, or other form of funding assistance from a state agency, either singly or in combination with one or more other state agencies; or
  (iii) … a project or activity authorized by a state agency acting in a land management capacity for a lease, easement, license, or other authorization to act.
- *It is not clear without preparation of an EA whether the proposed project is a major one significantly affecting the quality of the human environment. ARM 12.2.430(3)(a));*
- *FWP has not otherwise implemented the interdisciplinary analysis and public review purposes listed in ARM 12.2.430(2) (a) and (d) through a similar planning and decision-making process (ARM 12.2.430(3)(b));*
- *Statutory requirements do not allow sufficient time for the FWP to prepare an EIS (ARM 12.2.430(3)(c));*
- *The project is not specifically excluded from MEPA review according to § 75-1-220(8)(b) or ARM 12.2.430(5); or*
- *As an alternative to preparing an EIS, prepare an EA whenever the project is one that might normally require an EIS, but effects which might otherwise be deemed significant appear to be mitigable below the level of significance through design, or enforceable controls or stipulations or both imposed by the agency or other government agencies. For an EA to suffice in this instance, the agency must determine that all the impacts of the proposed project have been accurately identified, that they will be mitigated below the level of significance, and that no significant impact is likely to occur. The agency may not consider compensation for purposes of determining that impacts have been mitigated below the level of significance (ARM 12.2.430(4)).*

MEPA is procedural; its intent is to ensure that impacts to the environment associated with a proposed project are fully considered and the public is informed of potential impacts resulting from the project.

II. Background and Description of Proposed Project

Name of Project: Bull Trout and Westslope Cutthroat Trout Enhancement Through Non-Native Fish Removal

Bull Trout and westslope cutthroat trout are two of the handful of native fish species that have adapted over thousands of years to conditions in the Lower Clark Fork drainage. However, the relatively recent introduction of non-native species like rainbow trout, brown trout, and brook trout seriously threaten the persistence of these native fish through hybridization (interbreeding) and competition for resources. Bull trout are listed as a Threatened Species under the US endangered species act and classified as a Special Concern or Threatened by the Committee of Status of Endangered Wildlife in Canada. Bull trout have declined in population number and size across Montana in the last several decades. Existing populations are generally small and stable or in decline, and few robust populations remain (Kovach et al. 2018). Westslope cutthroat trout occupy approximately 58% of their historical habitat in the United States (May 2009). At the time of the most recent comprehensive status assessment, only about one-third of existing populations were believed to be non-hybridized (Shepard et al. 2005). In Montana, these declines have resulted in multiple conservation designations, including Species of Special Concern (State of Montana; Montana Chapter of the American Fisheries Society), Special Status Species (U.S. Bureau of Land Management), and Sensitive Species or Species of Conservation Concern across several National Forests (U.S. Forest Service).

The Clark Fork River is Montana's largest river by discharge. The Lower Clark Fork River (LCFR) begins at the confluence with the Flathead River and continues northwestward 165 km before entering Lake Pend Oreille, Idaho, a large (380 km2), deep (350 m) natural lake in the Idaho panhandle. The LCFR was historically an important migratory corridor for bull trout and westslope cutthroat trout which spawned in Montana tributaries but matured in Lake Pend Oreille (Huston 1985). However, in the 20th century, three dams were constructed that have restricted migrations of native fishes and greatly altered the hydrology and habitat of the river. Within the LCFR, the Bull River drainage represents the only remaining open system where non-hybridized westslope cutthroat trout are widespread and most tributaries are largely if not entirely inhabited by non-hybridized westslope cutthroat trout (Rehm 2025). Additionally, the Bull River hosts the only remaining migratory (fluvial) westslope cutthroat trout in the LCFR (Katzman and Hintz 2003). The East Fork Bull River supports the only remaining bull trout population in the Bull River drainage and at present, is one of the three Montana tributaries in the LCFR that still containing meaningful numbers of bull trout that naturally exhibit an adfluvial life history. An upstream and downstream trap and transport program for bull trout in the East Fork Bull River has been ongoing for >20 years to mitigate for passage barriers created by dams and bypass the lower Clark Fork reservoirs, which provide poor-quality salmonid habitat and support abundant non-native predators.

Contemporary observations have shown an increase in non-native fish in the lower in reaches of the East Fork Bull River (Rehm and Tholl 2023; Rehm et al. 2026). Recent genetic analysis of westslope cutthroat trout in the Bull River drainage revealed that non-hybridized westslope cutthroat trout are widespread, and most tributaries are largely if not entirely inhabited by non-hybridized westslope cutthroat trout. However, the lower reaches of the East Fork Bull River were identified as a hotspot of hybridization between westslope cutthroat trout and rainbow trout that threatens the rest of the non-hybridized westslope cutthroat trout in the Bull River drainage (Rehm 2025). Additionally, a recent increase in hybrids between bull trout and brook trout was also identified in the lower reaches of the East Fork Bull River during the most recent sampling efforts (Rehm et al. 2026).

Due to recent increases in non-native fish abundance and instances of hybridization with native fish FWP is proposing suppression of non-native trout (brown, brook, and rainbow trout) and hybrid cutthroat-rainbow trout in East Fork Bull River. FWP acknowledges that hybridization and non-native trout will always exist within the Bull River drainage. However, FWP believes that reducing non-native competition in an important adfluvial

bull trout population and slowing the spread of hybridization and reducing its impacts to remaining genetically unaltered westslope cutthroat trout in the Bull River drainage is a realistic and important goal in the long-term effort to protect these native species. Fish capture techniques would include backpack electrofishing and weir traps already being operated by the bull trout downstream fish passage program. Suppression efforts could occur from July through November with no electrofishing occurring during bull trout spawning periods. Non-native fish >250 mm captured would be relocated to a nearby community fishing pond (Triangle Pond), conditions permitting.

Previous non-native fish suppression occurred in the East Fork Bull River from 2007-2009 in the lower 5 rkm. Fish capture techniques including backpack electrofishing, and weir and rotary screw fish traps. Just over 3,500 brown trout, 1,900 brook trout, and 60 rainbow trout (≥75 mm) were removed from the lower East Fork Bull River during the three years of suppression, resulting in decreases of 74% in brown trout and 61% brook trout biomass from electrofishing sections (Moran and Storaasli 2010). From 2010 through 2020, brown trout and brook trout densities remained around 70% less than pre suppression densities (Moran et al. 2022).

The proposed project would incorporate lessons learned from past similar actions in FWP's ongoing effort to conserve native bull trout and westslope cutthroat trout by reducing negative impacts from non-native fishes. FWP will continue to monitor the efficacy of the proposed project by tracking hybridization and the relative abundance of both native and non-natives fishes within the East Fork Bull River.

Affected Area / Location of Proposed Project:

- Legal Description
    - Latitude/Longitude: 48.10854, -115.78301
    - Section, Township, and Range: 12, T27N, and R33W
    - Town/City, County, Montana: Vicinity of Noxon, Sanders County, Montana
- Location Map

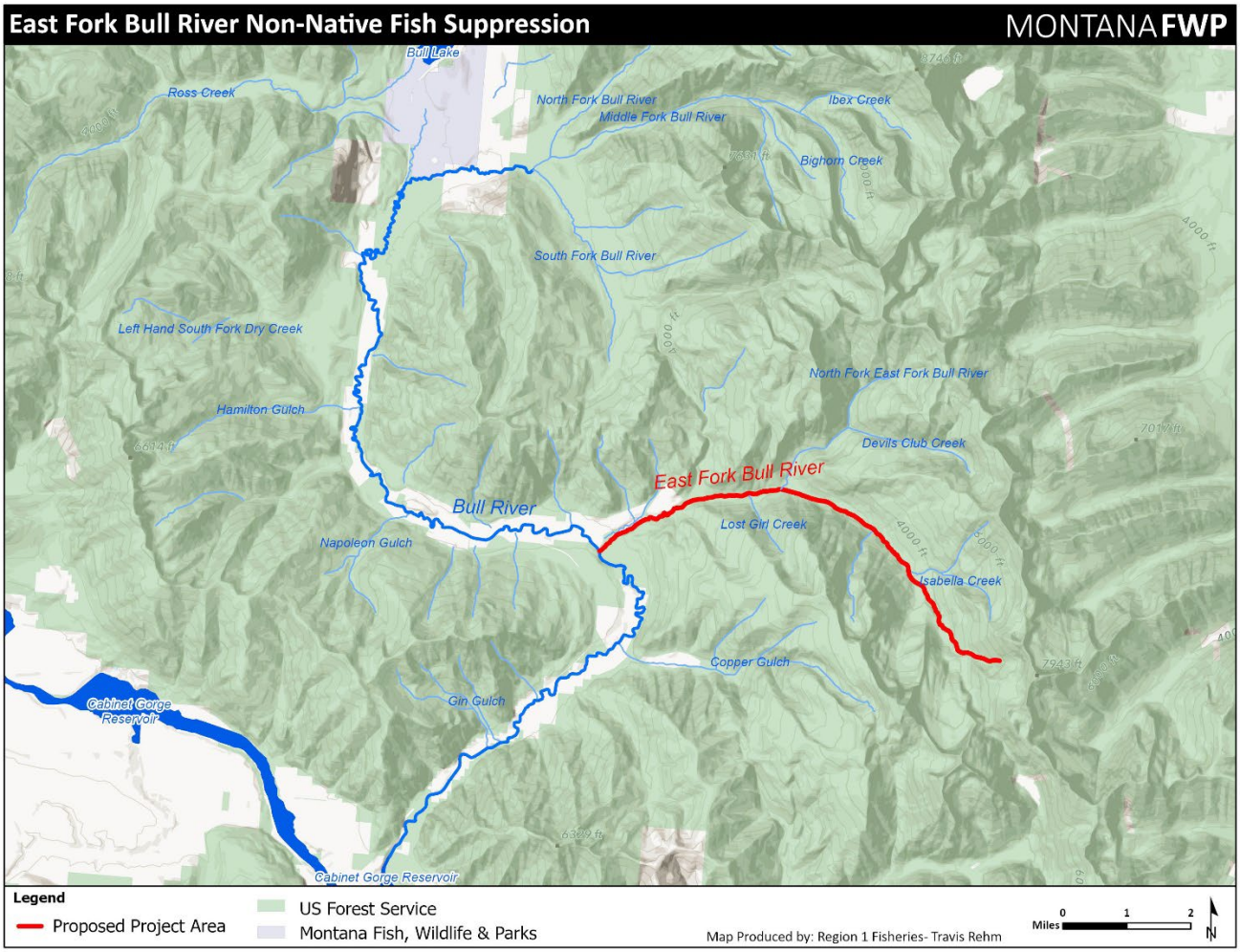

Figure 1. Location of the East Fork Bull River where the proposed project would occur.

III. Purpose and Need

The EA must include a description of the purpose and need or benefits of the proposed project. ARM 12.2.432(3)(b). Benefits of the proposed project refer to benefits to the resource, public, department, state, and/or other.

The intent of the proposed action would be to support the following FWP goals and objectives:

- Protected ESA listed threatened bull trout from hybridization and competition in one of the last remaining tributary strongholds for bull trout in the LCFR.
- Support substantial efforts by the upstream and downstream fish passage program to reconnect migratory native salmonid populations in the LCFR, specifically the Bull River drainage.
- Mitigate the loss of traits, through hybridization, that have evolved locally in westslope cutthroat trout.
- Retain the ecosystem role served by bull trout and westslope cutthroat trout, potentially avoiding adverse impacts to other organisms including insects, other fish, birds, and mammals that may result if hybrids and non-native fish replace native salmonids completely.

- Maintain westslope cutthroat trout as a valued sportfish in the area affected by the proposed project, avoiding unacceptable social and economic impacts associated with losing the opportunity to fish for them.
- Reduce the likelihood of federal Endangered Species Act (ESA) listing and protection of westslope cutthroat trout. ESA listing could limit public opportunity to fish for and otherwise interact with and enjoy this native fish species.
- Protect Montana's state-designated fish, preventing further adverse impact to the affected populations and safeguarding against adverse impact to Montana's cultural values associated with the species.

If FWP prepared a cost/benefit analysis before completion of the EA, the EA must contain the cost/benefit analysis or a reference to it. ARM 12.2.432(3)(b).

	Yes*	No
Was a cost/benefit analysis prepared for the proposed project?	☐	☒

* If yes, a copy of the cost/benefit analysis prepared for the proposed project is included in Attachment A to this Draft EA

IV. Other Agency Regulatory Responsibilities

FWP must list any federal, state, and/or local agencies that have overlapping or additional jurisdiction, or environmental review responsibility for the proposed project, as well as permits, licenses, and other required authorizations. ARM 12.2.432(3)(c).

*A list of other required local, state, and federal approvals, such as permits, certificates, and/or licenses from affected agencies is included in **Table 1** below. **Table 1** provides a summary of requirements but does not necessarily represent a complete and comprehensive list of all permits, certificates, or approvals needed for the proposed project. Agency decision-making is governed by state and federal laws, including statutes, rules, and regulations, that form the legal basis for the conditions the proposed project must meet to obtain necessary permits, certificates, licenses, or other approvals. Further, these laws set forth the conditions under which each agency could deny the necessary approvals.*

Table 1: Federal, State, and/or Local Regulatory Responsibilities

Agency	Type of Authorization (permit, license, stipulation, other)	Purpose
N/A	N/A	N/A

V. List of Mitigations, Stipulations

Mitigations, stipulations, and other enforceable controls required by FWP, or another agency, may be relied upon to limit potential impacts associated with a proposed Project. The table below lists and evaluates enforceable conditions FWP may rely on to limit potential impacts associated with the proposed Project. ARM 12.2.432(3)(g).

Table 2: Listing and Evaluation of Enforceable Mitigations Limiting Impacts

Are enforceable controls limiting potential impacts of the proposed action? If not, no further evaluation is needed.	**Yes ☐**	**No ☒**
If yes, are these controls being relied upon to limit impacts below the level of significance? If yes, list the enforceable control(s) below	**Yes ☐**	**No ☐**

Enforceable Control	Responsible Agency	Authority (Rule, Permit, Stipulation, Other)	Effect of Enforceable Control on Proposed Project
N/A	N/A	N/A	N/A

VI. Alternatives Considered

In addition to the proposed project, and as required by MEPA, FWP analyzes the "No-Action" alternative in this EA. Under the "No Action" alternative, the proposed project would not occur. Therefore, no additional impacts to the physical environment or human population in the analysis area would occur. The "No Action" alternative forms the baseline from which the potential impacts of the proposed Project can be measured.

Under the no-action alternative FWP would not suppress non-native trout and hybrid cutthroat-rainbow trout in East Fork Bull River. Without action, the bull trout and westslope cutthroat trout populations in the East Fork Bull River would likely continue to face increased hybridization and competition with non-native trout. These impacts would continue to threaten one of the last remaining adfluvial bull trout populations in the LCRF and the only remaining migratory population of westslope cutthroat trout. It is likely that without management action increased hybridization rates will spread throughout the Bull River drainage.

	Yes*	No
Were any additional and reasonable alternatives considered?	☐	☒

* If yes, a list and description of the other alternatives considered, but not carried forward for detailed review is included below

In addition to the proposed project and the No Action alternative, FWP analyzed the following alternatives:

No other alternatives were considered.

	Yes*	No
Were any additional alternatives considered and dismissed for cause?	☐	☒

* If yes, a list and description of the other alternatives considered, but not carried forward for detailed review, is included below

Other Alternatives Not Carried Forward for Detailed Analysis

No other alternatives were considered but not carried forward for further analysis.

VII. Summary of Potential Impacts of the Proposed Project on the Physical Environment and Human Population

*The impacts analysis identifies and evaluates **direct**, **secondary**, and **cumulative impacts**.*

- ***Direct impacts** are those that occur at the same time and place as the action that triggers the effect.*
- ***Secondary impacts** "are further impacts to the human environment that may be stimulated or induced by or otherwise result from a direct impact of the action." ARM 12.2.429(18).*

- ***Cumulative impacts*** *"means the collective impacts on the human environment of the proposed action when considered in conjunction with other past and present actions related to the proposed action by location or generic type. Related future actions must also be considered when these actions are under concurrent consideration by any state agency through pre-impact statement studies, separate impact statement evaluation, or permit processing procedures." ARM 12.2.429(7).*

Where impacts are expected to occur, the impact analysis estimates the ***extent, duration, frequency,*** *and* ***severity*** *of the impact. The duration of an impact is quantified as follows:*

- ***Short-Term****: impacts that would not last longer than the proposed project.*
- ***Long-Term****: impacts that would remain or occur following the proposed project.*

The severity of an impact is measured using the following:

- ***No****: there would be no change from current conditions.*
- ***Negligible****: an adverse or beneficial effect would occur but would be at the lowest levels of detection.*
- ***Minor****: the effect would be noticeable but would be relatively small and would not affect the function or integrity of the resource.*
- ***Moderate****: the effect would be easily identifiable and would change the function or integrity of the resource.*
- ***Major****: the effect would irretrievably alter the resource.*

Some impacts may require mitigation. As defined in ARM 12.2.429, mitigation means:

- *Avoiding an impact by not taking a certain action or parts of a project;*
- *Minimizing impacts by limiting the degree or magnitude of a project and its implementation;*
- *Rectifying an impact by repairing, rehabilitating, or restoring the affected environment; or*
- *Reducing or eliminating an impact over time by preservation and maintenance operations during the life of a project or the time period thereafter that an impact continues.*

A list of any mitigation strategies including, but not limited to, design, enforceable controls or stipulations, or both, as applicable to the proposed project is included in ***Section VI*** *above.*

FWP must analyze impacts to the physical and human environment for each alternative considered. The proposed project considered the following alternatives:

- **Alternative 1: No Action. Evaluation and Summary of Potential Impacts on the Physical Environment and Human Population**

  Under the "No Action" alternative, the proposed project would not occur. Therefore, no additional impacts to the physical environment or human population in the analysis area would occur. The "No Action" alternative forms the baseline from which the potential impacts of the proposed Project can be measured.

  Under the no-action alternative FWP would not suppress non-native trout and hybrid cutthroat-rainbow trout in East Fork Bull River. Without action, the bull trout and westslope cutthroat trout populations in the East Fork

Bull River would likely continue to face increased hybridization and competition with non-native trout. These impacts would continue to threaten one of the last remaining adfluvial bull trout populations in the LCRF and the only remaining migratiory population of westslope cutthroat trout. It is likely that without management action increased hybridization rates will spread throughout the Bull River drainage.

- **Alternative 2: Proposed Project. Evaluation and Summary of Potential Impacts on the Physical Environment and Human Population**

  See *Cumulative Impacts Analysis: Bull Trout and Westslope Cutthroat Trout Enhancement Through Non-Native Fish Removal*; *Table 3*, *Impacts on Physical Environment*; and *Table 4, Impacts on Human Population*, below.

VIII. Cumulative Impacts Analysis

For the purposes of MEPA, "cumulative impact" means the collective impacts on the human environment of the proposed action when considered in conjunction with other past and present actions related to the proposed action by location or generic type. Related future actions must also be considered when such actions are under concurrent consideration by any state agency through pre-impact statement studies, separate impact statement evaluation, or permit processing procedures. ARM 12.2.429(7).

"Action" means a project, program or activity directly undertaken by the agency; a project or activity supported through a contract, grant, subsidy, loan or other form of funding assistance from the agency, either singly or in combination with one or more other state agencies; or a project or activity involving the issuance of a lease, permit, license, certificate, or other entitlement for use or permission to act by the agency, either singly or in combination with other state agencies. ARM 12.2.429(1).

Under the “No Action” alternative, the proposed project would not occur. Therefore, no cumulative impacts to the affected human environment would occur. The “No Action” alternative forms the baseline from which the potential impacts of the proposed project are measured. Past and present actions are accounted for as part of the existing, or “baseline,” environmental conditions of the affected human environment prior to approval and implementation of the proposed project, and any known future related project(s).

FWP is unaware of any future related actions that would cumulatively impact the affected human environment with consideration for the proposed project and/or any past and present actions. For the purposes of the proposed project, the cumulative impacts analysis applies to all resources analyzed under Alternative 2, Proposed Project. See Tables 3 and 4 of this Draft EA.

Table 3 - Potential Impacts of Proposed Project on the Physical Environment

PHYSICAL ENVIRONMENT	Duration of Impact			Severity of Impact					
Resource	None	Short-Term	Long-Term	None	Negligible	Minor	Moderate	Major	Summary of Potential Direct, Secondary, and Cumulative Impacts and Mitigation Measures

Terrestrial, avian, and aquatic life and habitats	☐	☒	☒	☐	☐	☒	☒	☐	Potential direct impacts include:
									• Fewer non-native and hybrid trout in the affected portions of the river system
									  ○ Mitigation measure:
									  ▪ Trout >250 mm removed will be transported to a local community fishing pond, conditions permitting.
									The intent of the proposed project is to sustain native bull trout and westslope cutthroat trout by reducing non-native and hybrid trout. Therefore, impacts to native bull trout and westslope cutthroat trout would be long-term, beneficial, and moderate. Impacts to non-native rainbow and hybrid trout would be long-term, adverse, and moderate.
									
									Any impacts to other terrestrial and avian life (non-aquatic species) and habitats in the affected area would be short-term, adverse, and minor.
									
									Potential secondary impacts include:
									• Improved survival, condition, and genetic integrity of bull trout and westslope cutthroat trout due to reduced competition and hybridization with non-native trout and hybrids
									
									Any secondary impacts would be long-term, beneficial and moderate.

Water quality, quantity, and distribution	☒	☐	☐	☒	☐	☐	☐	☐	No significant impacts to water quality, quantity, and distribution would be expected because of the proposed project. No water use is proposed; therefore, the

PHYSICAL ENVIRONMENT	Duration of Impact			Severity of Impact					
Resource	None	Short-Term	Long-Term	None	Negligible	Minor	Moderate	Major	Summary of Potential Direct, Secondary, and Cumulative Impacts and Mitigation Measures
									proposed project would not impact water quantity or distribution. Further, fish would be removed using electroshocking and traps. Once shocking and trapping are completed, no additional impacts would occur; therefore, no impacts to water quality would be expected because of the proposed project.
Geology	☒	☐	☐	☒	☐	☐	☐	☐	The proposed project would not destroy, cover, or otherwise modify any unique geologic or physical feature in the proposed project area. Therefore, no impacts to geology are expected because of the proposed project.
Soil quality, stability, and moisture	☐	☒	☐	☐	☒	☐	☐	☐	No significant impacts to soil quality, stability, and moisture would be expected because of the proposed project. Installation of temporary fish traps would result in minor disturbance of soil. However, any impacts to soil stability would be short-term and minor, occurring only during seasonal trap removal.
Vegetation cover, quantity, and quality	☒	☐	☐	☒	☐	☐	☐	☐	The proposed project would not disturb or otherwise affect vegetation in the affected area; therefore, no impacts to vegetation cover, quantity, and quality would be expected because of the proposed project.

Aesthetics	☐	☒	☐	☒	☐	☐	☐	☐	Potential direct impacts include:
									• Electrofishing crew visibility during use
									  ○ Mitigation measures:
									  ▪ Crew will be restricted to fewer than 4 trips per week and only on weekdays, non-holidays, and between the hours of 9am and 4pm.
									• Fish trap visibility during use
									  ○ Mitigation measure:
									  ▪ Trap locations are selected where they are unlikely to be

PHYSICAL ENVIRONMENT	Duration of Impact			Severity of Impact					
Resource	None	Short-Term	Long-Term	None	Negligible	Minor	Moderate	Major	Summary of Potential Direct, Secondary, and Cumulative Impacts and Mitigation Measures
									encountered or otherwise seen by the public. Potential direct impacts to aesthetics would be short-term and negligible.
Air quality	☒	☐	☐	☒	☐	☐	☐	☐	No significant impacts to air quality would be expected because of the proposed project.
Unique, endangered, fragile, or limited environmental resources	☐	☐	☒	☐	☐	☐	☒	☐	Bull trout are listed as a Threatened Species under the US endangered species act and classified as a Special Concern or Threatened by the Committee of Status of Endangered Wildlife in Canada. FWP and the American Fisheries Society have classified westslope cutthroat trout as a species of special concern, and the U.S. Forest Service and Bureau of Land Management have classified them as a sensitive species. The intent of the proposed project is to sustain native trout by reducing non-native and hybrid trout. Any impacts to native trout would be long-term, beneficial, and moderate. FWP is unaware of any other unique, endangered, fragile, or limited environmental resources in the affected area that would be impacted by removal or reduction of non-native fish species.
Historical and archaeological sites	☒	☐	☐	☒	☐	☐	☐	☐	The proposed project would not disturb or otherwise impact any land-based resources, including any historical or archaeological sites that may be located in the area affected by the proposed project.
Demands on environmental resources of land, water, air, and energy	☒	☐	☐	☒	☐	☐	☐	☐	No significant impacts to demands on environmental resources of land, water, air, and energy would be expected because of the proposed project

Table 4 - Potential Impacts of Proposed Project on the Human Population

HUMAN POPULATION	Duration of Impact			Severity of Impact					
Resource	None	Short-Term	Long-Term	None	Negligible	Minor	Moderate	Major	Summary of Potential Direct, Secondary, and Cumulative Impacts and Mitigation Measures
Social structures and mores	☐	☐	☒	☐	☒	☐	☒	☐	Bull trout are listed as a Threatened Species under the US endangered species act and have declined in population number and size across Montana in the last several decades. Existing populations are generally small, and stable or in decline, and few robust populations remain. Westslope cutthroat trout is one of two subspecies of native cutthroat native to Montana and together, they have been designated Montana's state fish. Many Montanans and visitors hold high regard for these native fish as an angling resource, an icon of the state, and a valuable component of the ecosystems in which it resides. As such, the bull trout and westslope cutthroat trout are deeply engrained in the customs and lifestyles of residents and visitors of Montana. The intent of the proposed project is to sustain native trout by eliminating or reducing threats posed by competing non-native species. Therefore, the proposed project would benefit any person who enjoys fishing for westslope cutthroat trout or otherwise values the existence bull trout and westslope cutthroat trout, the State of Montana, and the ecosystem in which they reside. An increase in rainbow trout hybridization and further loss of westslope cutthroat trout conservation populations (those less than 10% genetically altered) resulting from the expansion of hybrid trout from source populations would likely result in a reduction in the range of westslope cutthroat trout and could lead to listing under the Endangered Species Act, changing state management of the species and likely limiting public opportunity to fish for and otherwise interact with and enjoy this native fish species. Any impacts from the

HUMAN POPULATION	Duration of Impact			Severity of Impact					
Resource	None	Short-Term	Long-Term	None	Negligible	Minor	Moderate	Major	Summary of Potential Direct, Secondary, and Cumulative Impacts and Mitigation Measures
									proposed project would be long-term, beneficial, and moderate.
Cultural uniqueness and diversity	☐	☐	☒	☐	☐	☐	☒	☐	The proposed project would reduce local non-native and hybrid trout in an effort to increase native trout populations. The proposed project would, in part, further the ongoing objective to conserve native species for the enjoyment of current and future fishing recreation; therefore, it would cause a long-term, moderate, and beneficial impact the cultural uniqueness and diversity of the affected area.
Access to and quality of recreational and wilderness activities	☐	☒	☐	☐	☒	☐	☐	☐	No significant impacts to access to recreational and wilderness activities would be expected because of the proposed project. Potential direct impacts to recreational quality include: • Fish traps may be visible during use. ○ Mitigation measure: ▪ Trap locations are selected where they are unlikely to be encountered or seen by the public. Potential direct impacts to the access to and quality of recreational and wilderness activities would be short-term and negligible.
Local and state tax base and tax revenues	☐	☐	☒	☐	☐	☒	☐	☐	No significant impacts to the local and state tax base and tax revenue would be expected because of the proposed project. The proposed project does not involve the acquisition of land or property, production of any products, or displacement of any existing businesses. Local businesses rely largely on recreation as a staple source of income and many people visiting the area to recreate currently seek opportunities to fish for

HUMAN POPULATION	Duration of Impact			Severity of Impact					
Resource	None	Short-Term	Long-Term	None	Negligible	Minor	Moderate	Major	Summary of Potential Direct, Secondary, and Cumulative Impacts and Mitigation Measures
									Montana's native westslope cutthroat trout. The proposed project would, in part, further the ongoing objective to conserve this native species for the enjoyment of current and future fishing recreation. Any impacts to the local and state tax base and tax revenue would be long-term, minor, and beneficial.
Agricultural or Industrial production	☒	☐	☐	☒	☐	☐	☐	☐	The proposed project would not disturb or otherwise impact any agricultural or industrial land; therefore, no impacts to agricultural or industrial production would be expected because of the proposed project.
Human health and safety	☐	☒	☐	☐	☒	☐	☐	☐	No significant impacts to human health and safety would be expected because of the proposed project. The proposed project would employ electrofishing equipment, which can be dangerous if not done in a safe manner. Affected staff conducting the activity may realize increased risk to human health and safety; however, FWP requires staff to operate in a safe manner and utilize available safety precautions. Therefore, any potential impact to human health and safety would be short-term and negligible, lasting only as long as the proposed project.
Quantity and distribution of employment	☒	☐	☐	☒	☐	☐	☐	☐	The proposed project would utilize existing FWP staff to conduct activities; therefore, no impacts to the quantity and distribution of employment in the area affected by the proposed project would be expected because of the proposed project.
Distribution and density of population and housing	☒	☐	☐	☒	☐	☐	☐	☐	The proposed project would use existing FWP staff to accomplish the proposed project and would not otherwise require or result in the movement of existing or new population into or out of the affected area. Therefore, no impacts to the distribution and density of population and housing in the area affected by the proposed project would be expected because of the proposed project.

HUMAN POPULATION	Duration of Impact			Severity of Impact					
Resource	None	Short-Term	Long-Term	None	Negligible	Minor	Moderate	Major	Summary of Potential Direct, Secondary, and Cumulative Impacts and Mitigation Measures
Demands for government services	☐	☒	☐	☐	☒	☐	☐	☐	The proposed project would use existing FWP staff. No additional demands for government services would be expected as a result of the proposed project because activities of this nature are included in the roles of affected staff. Any impacts would be short-term, consistent, and negligible, lasting only as long as the proposed project.
Industrial, agricultural, and commercial activity	☒	☐	☐	☒	☐	☐	☐	☐	The proposed project would not disturb or otherwise impact any industrial, agricultural, or commercial properties or operations; therefore, no impacts to industrial, agricultural, or commercial activity would be expected because of the proposed project
Locally adopted environmental plans and goals	☒	☐	☐	☒	☐	☐	☐	☐	FWP is unaware of any locally adopted environmental plans or goals that may be impacted by the proposed project.

Other appropriate social and economic circumstances	☐	☐	☒	☐	☐	☐	☒	☐	Potential direct impacts include:
									• Fewer non-native and hybrid trout available to anglers in the affected portions of the river system
									  ○ Mitigation measures:
									  ▪ Westslope cutthroat trout will likely continue to increase in both prevalence and desirability
									  ▪ Trout >250 mm removed will be transported to a local community fishing pond, conditions permitting.
									• Increased prevalence of westslope cutthroat trout available to anglers and others who value westslope cutthroat trout and bull trout in the affected portions of the river system.
									
									The intent of the proposed project is to sustain native trout by reducing the threats posed by competing non-

HUMAN POPULATION	Duration of Impact			Severity of Impact					
Resource	None	Short-Term	Long-Term	None	Negligible	Minor	Moderate	Major	Summary of Potential Direct, Secondary, and Cumulative Impacts and Mitigation Measures
									native species and hybrid trout. Therefore, impacts to those who value native trout would be long-term, beneficial, and moderate in the affected area. Impacts to those who value non-native and hybrid trout would be long-term, adverse, and moderate in the affected area.

Table 6: Determining the Significance of Impacts on the Quality of the Human Environment

If the EA identifies impacts associated with the proposed project FWP must determine the significance of the impacts. ARM 12.2.431. This determination forms the basis for FWP's decision as to whether it is necessary to prepare an environmental impact statement. An impact may be adverse, beneficial, or both. If none of the adverse effects of the impact are significant, an EIS is not required. An EIS is required if an impact has a significant adverse effect, even if the agency believes that the effect on balance will be beneficial. ARM 12.2.431.

According to the applicable requirements of ARM 12.2.431, FWP must consider the criteria identified in this table to determine the significance of each impact on the quality of the human environment. The significance determination is made by giving weight to these criteria in their totality. For example, impacts identified as moderate or major in severity may not be significant if the duration is short-term. However, moderate or major impacts of short-term duration may be significant if the quantity and quality of the resource is limited and/or the resource is unique or fragile. Further, moderate or major impacts to a resource may not be significant if the quantity of that resource is high or the quality of the resource is not unique or fragile.

	Criteria Used to Determine Significance
1	The **severity, duration, geographic extent,** and **frequency** of the occurrence of the impact **"Severity"** describes the density of the potential impact, while **"extent"** describes the area where the impact will likely occur, e.g., a project may propagate ten noxious weeds on a surface area of 1 square foot. Here, the impact may be high in severity, but over a low extent. In contrast, if ten noxious weeds were distributed over ten acres, there may be low severity over a larger extent. **"Duration"** describes the time period during which an impact may occur, while **"frequency"** describes how often the impact may occur, e.g., an operation that uses lights to mine at night may have frequent lighting impacts during one season (duration).
2	The probability that the impact will occur if the proposed project occurs; or conversely, reasonable assurance in keeping with the potential severity of an impact that the impact will not occur
3	Growth-inducing or growth-inhibiting aspects of the impact, including the relationship or contribution of the impact to cumulative impacts
4	The quantity and quality of each environmental resource or value that would be affected, including the uniqueness and fragility of those resources and values

5	The importance to the state and to society of each environmental resource or value that would be affected
6	Any precedent that would be set as a result of an impact of the proposed project that would commit FWP to future actions with significant impacts or a decision in principle about such future actions
7	Potential conflict with local, state, or federal laws, requirements, or formal plans

IX. Private Property Impact Analysis (Takings)

The 54th Montana Legislature enacted the Private Property Assessment Act, now found at § 2-10-101. The intent was to establish an orderly and consistent process by which state agencies evaluate their proposed projects under the "Takings Clauses" of the United States and Montana Constitutions. The Takings Clause of the Fifth Amendment of the United States Constitution provides: "nor shall private property be taken for public use, without just compensation." Similarly, Article II, Section 29 of the Montana Constitution provides: "Private property shall not be taken or damaged for public use without just compensation..."

The Private Property Assessment Act applies to proposed agency projects pertaining to land or water management or to some other environmental matter that, if adopted and enforced without due process of law and just compensation, would constitute a deprivation of private property in violation of the United States or Montana Constitutions.

The Montana State Attorney General's Office has developed guidelines for use by state agencies to assess the impact of a proposed agency project on private property. The assessment process includes a careful review of all issues identified in the Attorney General's guidance document (Montana Department of Justice 1997). If the use of the guidelines and checklist indicates that a proposed agency project has taking or damaging implications, the agency must prepare an impact assessment in accordance with Section 5 of the Private Property Assessment Act.

Table 7: Private Property Assessment (Takings)

PRIVATE PROPERTY ASSESMENT ACT (PPAA)			
Does the Proposed Action Have Takings Implications under the PPAA?	**Question #**	**Yes**	**No**
Does the project pertain to land or water management or environmental regulations affecting private property or water rights?	1	☐	☒
Does the action result in either a permanent or an indefinite physical occupation of private property?	2	☐	☒
Does the action deprive the owner of all economically viable uses of the property?	3	☐	☒
Does the action require a property owner to dedicate a portion of property or to grant an easement? (If answer is NO, skip questions 4a and 4b and continue with question 5)	4	☐	☒
Is there a reasonable, specific connection between the government requirement and legitimate state interest?	4a	☐	☐
Is the government requirement roughly proportional to the impact of the proposed use of the property?	4b	☐	☐
Does the action deny a fundamental attribute of ownership?	5	☐	☒
Does the action have a severe impact of the value of the property?	6	☐	☒
Does the action damage the property by causing some physical disturbance with respect to the property in excess of that sustained by the public general? (If the answer is NO, skip questions 7a-7c.)	7	☐	☒
Is the impact of government action direct, peculiar, and significant?	7a	☐	☐
Has the government action resulted in the property becoming practically inaccessible, waterlogged, or flooded?	7b	☐	☐
Has the government action diminished property values by more than 30% and necessitated the physical taking of adjacent property or property across a public way from the property in question?	7c	☐	☐
Does the proposed action result in taking or damaging implications?		☐	☒

Taking or damaging implications exist if **YES** is checked in response to Question 1 and also to any one or more of the following questions: 2, 3, 4, 6, 7a, 7b, 7c; or if **NO** is checked in response to question 4a or 4b.
If taking or damaging implications exist, the agency must comply with MCA § 2-10-105 of the PPAA, to include the preparation of a taking or damaging impact assessment. Normally, the preparation of an impact assessment will require consultation with agency legal staff.
Alternatives: The analysis under the Private Property Assessment Act, §§ 2-10-101 through -112, MCA, indicates no impact. FWP does not plan to impose conditions that would restrict the regulated person's use of private property to constitute a taking.

X. Public Participation

The level of analysis in an EA will vary with the complexity and seriousness of environmental issues associated with a proposed action. The level of public interest will also vary. FWP is responsible for adjusting public review to match these factors (ARM 12.2.433(1)). Because FWP determines the proposed action will result in limited environmental impact, and little public interest has been expressed, FWP determines the following public notice strategy will provide an appropriate level of public review:

- *An EA is a public document and may be inspected upon request. Any person may obtain a copy of an EA by making a request to FWP. If the document is out-of-print, a copying charge may be levied (ARM 12.2.433(2)).*
- *Public notice will be served on the Montana Fish, Wildlife and Parks website at: https://fwp.mt.gov/news/public-notices. Public notice will announce the availability of the Draft EA, summarize its content, and solicit public comment.*
- *Copies will be distributed to neighboring landowners to ensure their knowledge of the proposed project and opportunity for review and comment on the proposed action.*
- *FWP maintains a mailing list of persons interested in a particular action or type of action. FWP will notify all interested persons and distribute copies of the Draft EA to those persons for review and comment (ARM 12.2.433(3)).*
- *FWP issues a biweekly press release containing all FWP public commenting opportunities.*

    - ***Duration of Public Comment Period:*** *The public comment period begins on the date the Draft EA is published on FWP's website. Written or e-mailed comments will be accepted until 5:00 p.m., MST, on the last day of public comment period, as listed below:*

      Length of Public Comment Period: 15 days
      Public Comment Period Begins: April 1, 2026
      Public Comment Period Ends: April 15, 2026

      Comments must be addressed to the FWP contact, as listed below.

    - ***Where to Mail or Email Comments on the Draft EA:***
      Name: TRAVIS REHM
      Email: travis.rehm@mt.gov

      Mailing Address:
      5427 Hwy. 200
      Thompson Falls, MT 59873

XI. Recommendation for Further Environmental Analysis

NO further analysis is needed for the proposed action	☒
FWP must conduct **EIS** level review for the proposed action	☐

XII. EA Preparation and Review

	Name	**Title**
EA prepared by:	Travis Rehm	Fisheries Biologist
EA reviewed by:	Michael E Hensler	Region 1 Fisheries Program Manager

Attachment A

Relevant Resources

Huston, J. E. 1985. Thirty-two years of fish management in Noxon and Cabinet Gorge Reservoirs. Report to Montana Fish, Wildlife and Parks, Helena, MT.

Kovach, R. P., J. B. Armstrong, D. A. Schmetterling, R. Al-Chokhachy, and C. C. Muhlfeld. 2018. Long-term population dynamics and conservation risk of migratory Bull Trout in the upper Columbia River basin. Canadian Journal of Fisheries and Aquatic Sciences 75:1960–1968.

Moran, S., and J. Storaasli. 2010. Non-native fish suppression project in the East Fork Bull River Drainage, Montana: 2007–2013. Annual Progress Report–2009. Fish Passage/Native Salmonid Restoration Program. Avista Corporation, Noxon, Montana.

Moran, S., J. Storaasli., and P. Kusnierz. 2022. Non-Native Fish Suppression Project in the East Fork Bull River Drainage, Montana: 2007–2020. Fish Passage/Native Salmonid Restoration Program, Appendix C. Report to Avista Corporation, Noxon, Montana.

Rehm, T. and T. Tholl. 2023. Native Salmonid Abundance and Tributary Habitat Restoration Monitoring. Annual Project Update-2022. Report to Avista Corporation, Noxon, Montana and Montana Fish, Wildlife and Parks, Thompson Falls, Montana.

Rehm, T. 2025. Westslope Cutthroat Trout Transport Evaluation. Report to Avista Corporation, Noxon, Montana and Montana Fish, Wildlife and Parks, Thompson Falls, Montana.

Rehm, T., A. Muller, and T. Tholl. 2026. Native Salmonid Abundance and Tributary Habitat Restoration Monitoring. Annual Project Update-2024. Report to Avista Corporation, Noxon, Montana and Montana Fish, Wildlife and Parks, Thompson Falls, Montana

Shepard, B. B., B.E. May, and W. Urie. 2005. Status and Conservation of Westslope cutthroat trout within the Western United States. North American Journal of Fisheries Management, Volume 25:1426–1440. North American Journal of Fisheries Management, 34: 988–997.