**DRAFT**

**ENVIRONMENTAL ASSESSMENT**

**Checklist**

**Spring Coulee Creek – Culvert Replacement**

**10/23/2023**



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# **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.*

# **Background and Description of Proposed Project**

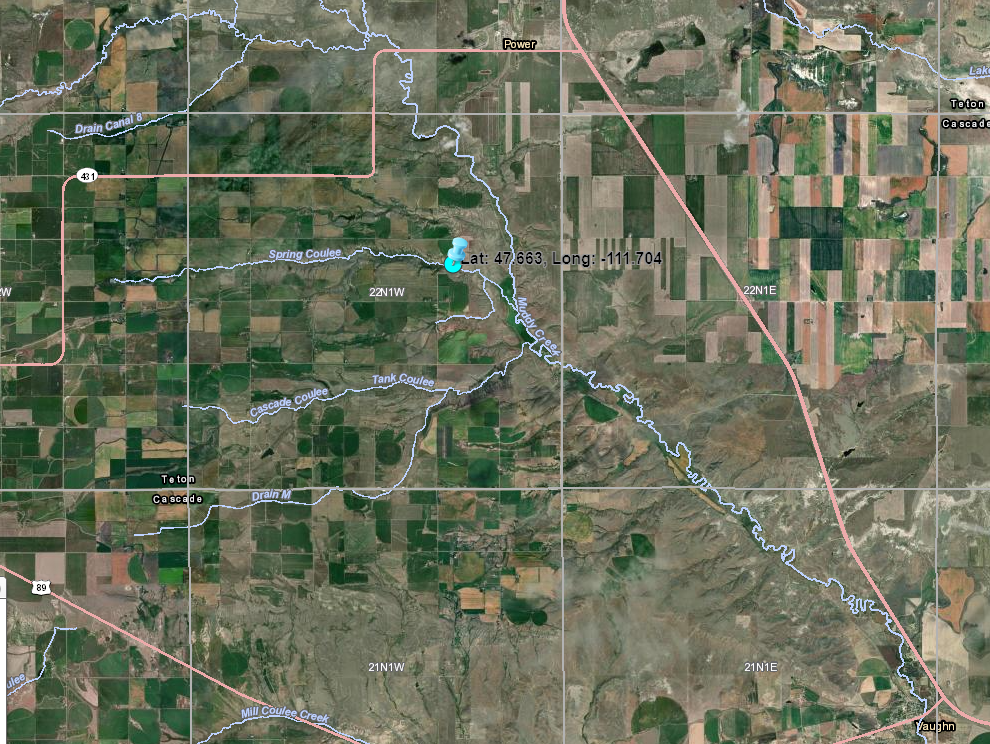
**Name of Project:** Spring Coulee Creek – Culvert Replacement – SPA 124 Permit – Teton County-06-23

**Description of Proposed Project:** To issue a Stream Protection Act (SPA) 124 Permit to Teton County Road Department to allow replacement of two side-by-side perched 6ft culverts with a 10ft tall x 14ft wide x 100ft long culvert.

After flooding in 2018, two side-by-side 6-ft culverts were installed replacing a bridge that had been washed out. The culverts were installed improperly and are currently perched, restricting fish passage and flows. The project will replace the side-by-side culverts with a 10ft tall x 14ft wide x 100ft long culvert. The new culvert will be embedded in the streambed a minimum of 20% and installed at grade. The new culvert is expected to reduce erosion and increase fish passage and habitat connectivity.

**Affected Area / Location of Proposed Project:**

* Legal Description
  + Latitude/Longitude: 47.66261, -111.7041
  + Section, Township, and Range: S14, T22N, R1W
  + Town/City, County, Montana: Power, Teton County, Montana
* Location Map



**Figure 1. Map of Project area. Blue marker depicts the project location.**

# **Purpose and Need**

*The EA must include a description of the benefits and purpose 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.*

To issue a Stream Protection Act (SPA) 124 Permit to Teton County Road Department to allow replacement of two side-by-side perched 6ft culverts with a 10ft tall x 14ft wide x 100ft long culvert.

After flooding in 2018, two side-by-side 6-ft culverts were installed replacing a bridge that had been washed out. The culverts were installed improperly and are currently perched, restricting fish passage and flows. The project will replace these culverts with a 10ft tall x 14ft wide x 100ft long culvert. The new culvert will be embedded in streambed a minimum of 20% and installed at grade. The new culvert is expected to reduce erosion and increase fish passage and habitat connectivity.

Benefits of the project related to the SPA 124 process include less sediment delivery to Spring Coulee Creek from erosion upstream and downstream of the undersized culverts, and improved passage of fish, flow, and streambed material by the proper installation of an appropriately sized culvert.

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

# **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 state requirements but does not necessarily represent a complete and comprehensive list of all permits, certificates, or approvals needed. 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** |
| **MT FWP** | **SPA 124 Permit** | **Any agency or subdivision of state, county, or city government proposing a project that may affect the beds or banks of any stream in Montana. Many federal agencies also comply either via a memorandum of understanding or general agreement.** |
| **MT FWP/MT DEQ** | **318 Authorization** | **Any person, agency, or entity, both public and private, initiating construction activity that will cause short term or temporary violations of state surface water quality standards for turbidity. MT FWP may issue the 318 authorization on behalf of DEQ, if it falls within a programmatic EA.** |
| **MT DEQ** | **401 Certification** | **The federal Clean Water Act requires state certification for any permit or license issued by a federal agency for an activity that may result in a discharge to state waters, including wetlands.** |
| **US ACOE** | **Federal Clean Water Act**  **404 Permit** | **Any activity that will result in the temporary or permanent discharge or placement of dredged or fill material into waters of the United States, including wetlands.** |

# **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** | |
| SPA 124 Permit - General Requirements (see Appendix 1) | FWP | SPA 124 | SPA 124 Permit, General Conditions, provide best management practices in the form of enforceable controls to limit potential adverse impacts from the proposed project. Fines may be levied for violating these general requirements and/or corrective action may be required to remedy non-compliance. | |
|  |  |  |  | |
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|  |  |  |  | |
|  |  |  |  | |
|  |  |  |  | |
|  |  |  |  | |

# **SPA 124 Permit Action**

*Any applicable Montana stream work that is not otherwise excluded from MEPA review under the applicable requirements of ARM 12.2.454, Actions that Qualify for a Categorical Exclusion, and has the potential to alter the stream channel or bank, requires a project-specific 124 Stream Protection Act Permit or SPA 124 Permit prior to the start of work. The SPA 124 permit is issued by FWP’s Fisheries Division and includes both the general conditions described in Attachment 1 and any additional Special Conditions deemed necessary to protect and preserve the affected waterway. Additional conditions deemed necessary to protect and preserve the affected stream from potential impacts associated with the proposed project are listed in Table 3 below.*

**Table 3: SPA 124 Permit Conditions the Department Will Require to Issue Permit.**

|  |  |  |
| --- | --- | --- |
| **Activity** | **Special Condition** | **Description** |
| Spring Coulee Creek – Culvert Replacement | -Embedd culvert a minimum of 20% in streambed  -Install culvert to match existing grade  -Place streambed substrate in culvert to match existing channel bottom  -Revegetate any disturbed areas with native seed mix | These special conditions are required to ensure the culvert is installed properly to increase the likelihood of the passage of fish, flow, and substrate through the culvert. Revegetating any disturbed areas will reduce disturbance associated with the placement of the culvert. |
|  |  |  |
|  |  |  |
|  |  |  |
|  |  |  |

# **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, FWP would not do the proposed project.

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.

|  |  |  |
| --- | --- | --- |
|  | Yes\* | No |
| Were any additional alternatives considered and dismissed? |  |  |

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

No other alternatives were considered for issuing the SPA 124 permit. The applicant identified a bridge as an alternative in the Joint Application and it was dismissed due to not being cost effective.

# **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 Impact**: 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.

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

See **Table 4** (Impacts on Physical Environment) and **Table 5** (Impacts on Human Population) below.

**Table 4 - Potential Impacts of the 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 |  |  |  |  |  |  |  |  | The project is expected to have a short-term and direct minor impact on terrestrial, avian, and aquatic life, and habitats due to disturbance associated with construction activities. The effect would be minor and not affect the function or integrity of the resource. Organisms would disburse to undisturbed areas to avoid the disturbance.  The project is expected to have a beneficial long-term direct moderate impact to aquatic life and habitat by reducing erosion and increasing aquatic organism passage. This will allow passage of aquatic organisms upstream of the culvert that are currently blocked by the perched culverts.  Mitigation measures to minimize short-term impacts are described in the SPA 124 general conditions in Attachment 1 and the special conditions in Table 3. |
| Water quality, quantity, and distribution |  |  |  |  |  |  |  |  | The project is expected to have a short-term and direct minor impact on water quality due to sediment mobilization from construction activities. The effect would be minor and not affect the function or integrity of the resource.  The project is expected to have a beneficial long-term direct minor impact to water quality by reducing disturbance associated with continued maintenance.  Mitigation measures to minimize short-term impacts are described in the SPA 124 general conditions in Attachment 1 and the special conditions in Table 3. |
| Geology |  |  |  |  |  |  |  |  |  |
| Soil quality, stability, and moisture |  |  |  |  |  |  |  |  |  |
| Vegetation cover, quantity, and quality |  |  |  |  |  |  |  |  | The project is expected to have a short-term minor impact on vegetation cover, quantity, and quality due to disturbance associated with removal and placement of the new culvert. The effect would be relatively small and would not affect the function or integrity of the resource. |
| Aesthetics |  |  |  |  |  |  |  |  | The project is expected to have a short-term negligible impact on aesthetics by construction activities associated with removal and replacement of the culvert. |
| Air quality |  |  |  |  |  |  |  |  | The project is expected to have a short-term negligible impact on air quality by construction activities associated with removal and replacement of the culvert. |
| Unique, endangered, fragile, or limited environmental resources |  |  |  |  |  |  |  |  | No unique, endangered, fragile, or limited environmental resources were identified by Teton County in the Joint Application. |
| Historical and archaeological sites |  |  |  |  |  |  |  |  | No historical or archaeological sites were identified by Teton County in the Joint Application. |
| Demands on environmental resources of land, water, air, and energy |  |  |  |  |  |  |  |  |  |

**Table 5 - Potential Impacts of the 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 |  |  |  |  |  |  |  |  |  |
| Cultural uniqueness and diversity |  |  |  |  |  |  |  |  |  |
| Access to and quality of recreational and wilderness activities |  |  |  |  |  |  |  |  | The project may result in a short-term and long-term beneficial minor impact to access by reducing the likelihood of the road becoming flooded and impassable.  There may also be a short-term negative minor impact to access with access being restricted while the old culverts are being removed and the new culvert being placed. |
| Local and state tax base and tax revenues |  |  |  |  |  |  |  |  |  |
| Agricultural or Industrial production |  |  |  |  |  |  |  |  |  |
| Human health and safety |  |  |  |  |  |  |  |  |  |
| Quantity and distribution of employment |  |  |  |  |  |  |  |  |  |
| Distribution and density of population and housing |  |  |  |  |  |  |  |  |  |
| Demands for government services |  |  |  |  |  |  |  |  |  |
| Industrial, agricultural, and commercial activity |  |  |  |  |  |  |  |  |  |
| Locally adopted environmental plans and goals |  |  |  |  |  |  |  |  |  |
| Other appropriate social and economic circumstances |  |  |  |  |  |  |  |  |  |

**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 |

Of the impacts identified in Tables 4 and 5 there are no significant negative impacts.

# **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)**

|  |  |  |  |
| --- | --- | --- | --- |
|  | | **Yes** | **No** |
| Is FWP regulating the use of private property under a regulatory statute adopted pursuant to the police power of the state? (Property management, grants of financial assistance, and the exercise of the power of eminent domain are not within this category.) If not, no further analysis is required | |  |  |
| Does the proposed regulatory action restrict the use of the regulated person’s private property? If not, no further analysis is required. | |  |  |
| Does FWP have legal discretion to impose or not impose the proposed restriction or discretion as to how the restriction will be imposed? If not, no further analysis is required | |  |  |
| If so, FWP must determine if there are alternatives that would reduce, minimize, or eliminate the restriction on the use of private property, and analyze such alternatives. Have alternatives been considered and/or analyzed? If so, describe below: | |  |  |
| **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. | | | |

# **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/aboutfwp/public-comment-opportunities*](https://fwp.mt.gov/aboutfwp/public-comment-opportunities)
* *Due to the localized nature of the project and lack of significant impacts, a formal comment period is not needed.*

# **Recommendation for Further Environmental Analysis**

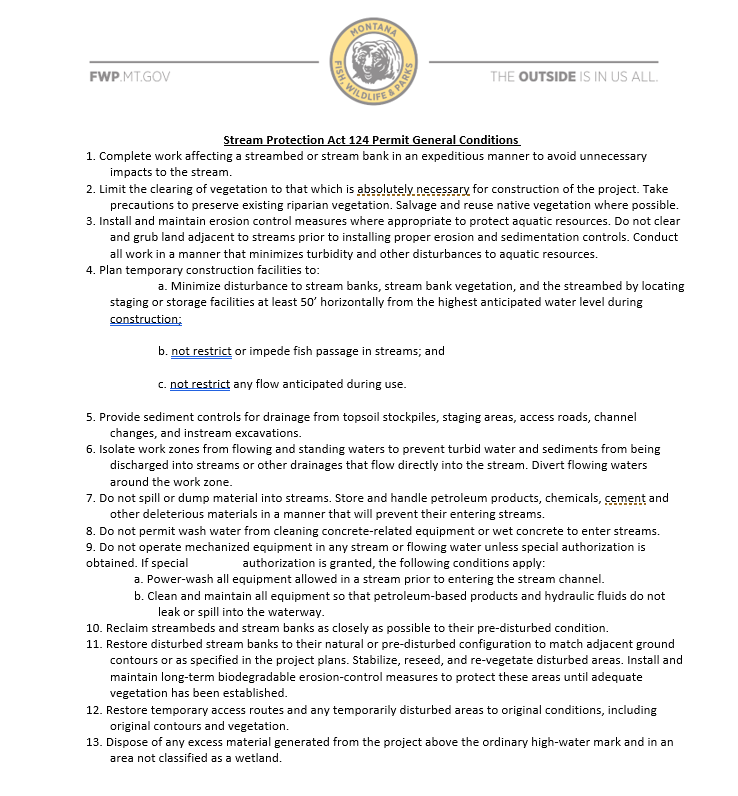
|  |  |
| --- | --- |
| **NO** further analysis is needed for the proposed action |  |
| FWP must conduct **EIS** level review for the proposed action |  |

# **EA Preparation and Review**

|  |  |  |
| --- | --- | --- |
|  | **Name** | **Title** |
| **EA prepared by:** | Jason Mullen | Fisheries Biologist |
| **EA reviewed by:** | Jason Rhoten | Regional Supervisor |

# **Attachment 1**

## **SPA 124 Permit General Conditions**

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