**DRAFT**

**ENVIRONMENTAL ASSESSMENT**

**Checklist**

**Wadsworth Lake Drain Outfall**

**10/17/2023**



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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:** Wadsworth Lake Drain Outfall

Wadsworth Lake is located on the north side of the Sun River levee. This levee was built to protect Great Falls neighborhoods from historic flood events. A drain pipe connects Wadsworth Lake to the Sun River. This pipe is used to help drain floodwaters into the Sun River during flood events and to fill Wadsworth Lake during the spring in typical water years. However, due to the position of the pipe and the dynamics of the Sun River, the “Lake Drain” outfall is regularly buried in the bank and the pipe is filled with sediment. This eliminates the function of the pipe.

To keep the pipe end open, a small cove or cut-out has been repeatedly been excavated into the bank by contractors working for the West Great Falls Flood Control and Drainage district. The pipe is approximately 24” below the typical low water of the Sun River resulting in silt deposition in high water events.

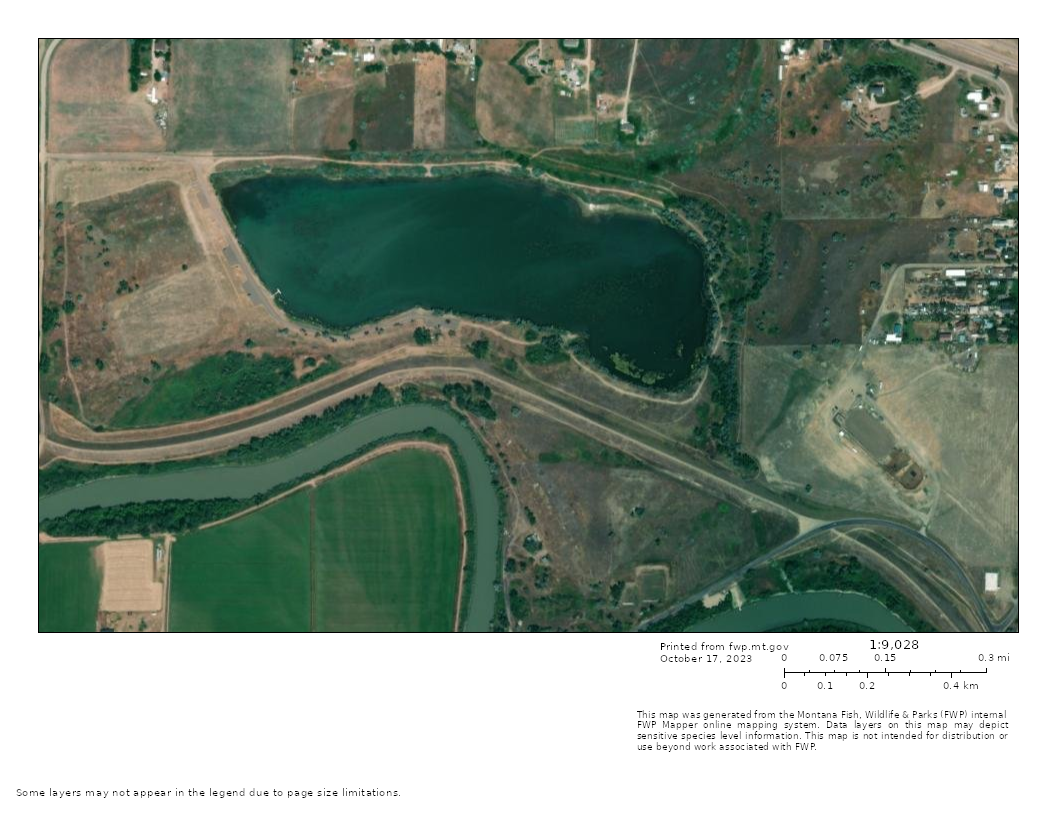
Routine inspections are required by USACE every 5 years and during the several past inspections, the silt deposition has been significant resulting in an expensive removal. The cost to dewater and clean the “Lake Drain” for the 2020 inspection was in excess of $7,100. This silt deposition has also impacted the filling of Wadsworth Lake which has impacted the recreational value and water quality of the lake. Low water years have resulted in harmful algal blooms which is a threat to human and animal health. Most notably, silt deposition within the pipe has impacted the primary function of the outlet which is releasing floodwater from the landside of the levee.

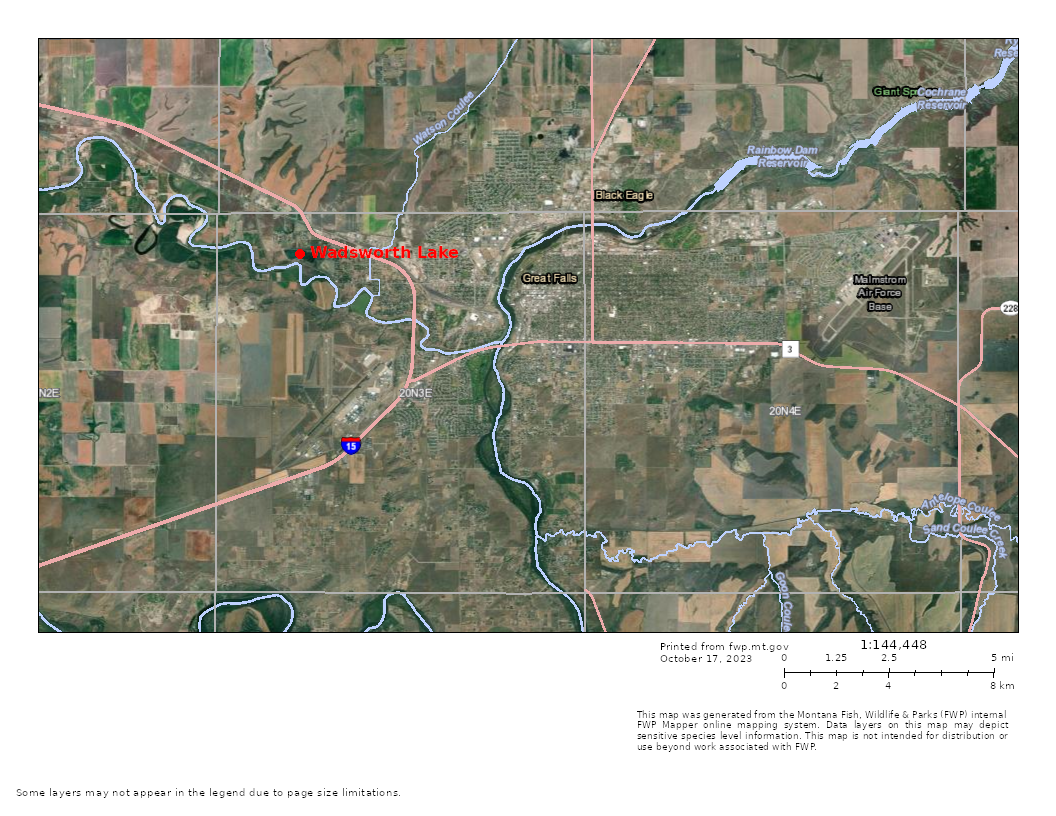
This project is by the West Great Falls Flood Control and Drainage District and is partially funded by Montana Fish, Wildlife and Parks Community Pond Grant Program. The project will place a concrete structure at the end of the outfall which will reduce silt and sediment accumulation within the pipe. The project’s goals are to maintain function of the drain pipe which includes passing floodwater past the levee and allowing recharge of Wadsworth Lake.

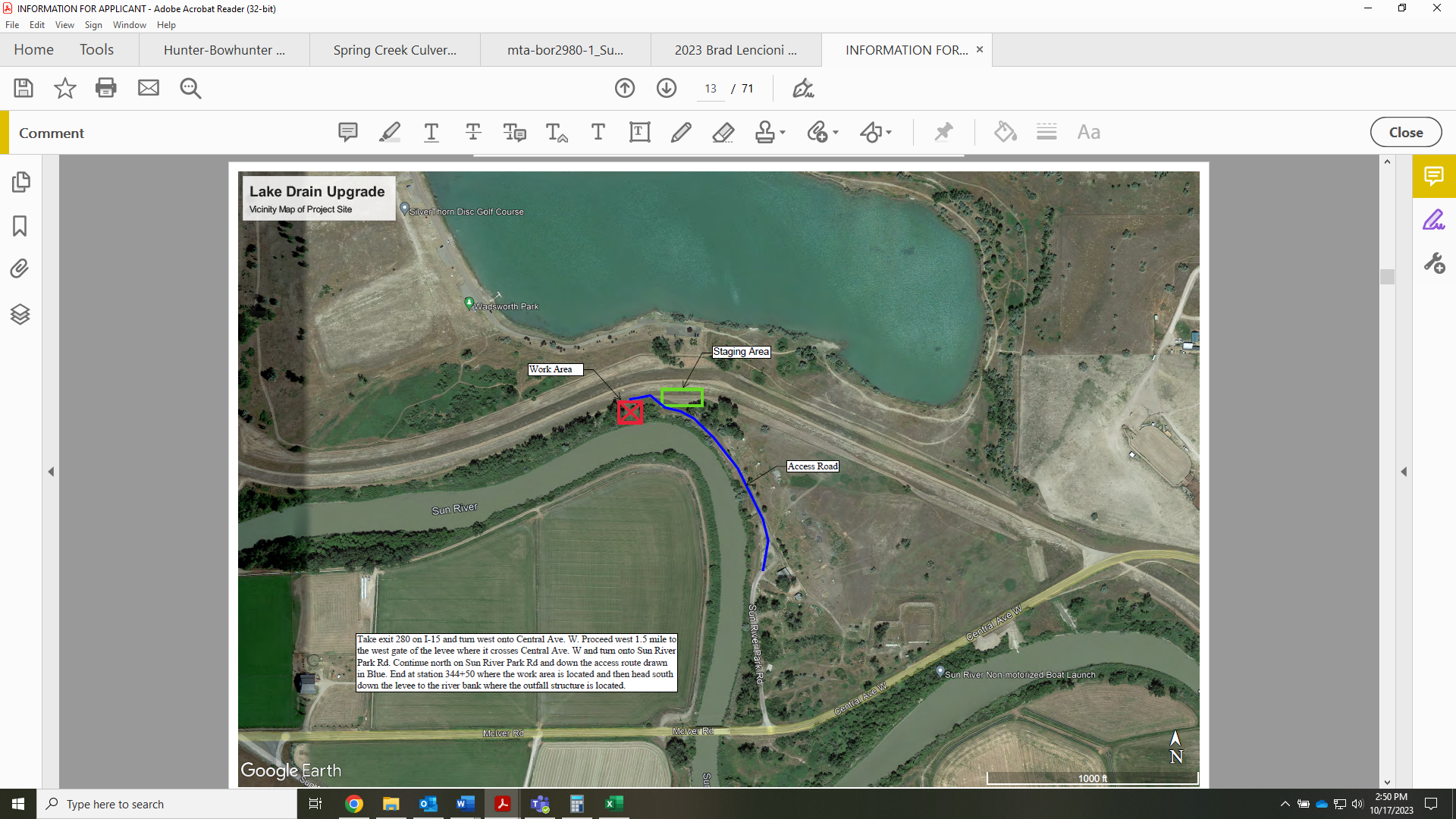
The installation of the concrete structure over the outfall of the Wadsworth Lake drain pipe will utilize a coffer dam to reduce turbidity in the Sun River during construction activities and will create a dry workspace. The new outfall structure will be 18ft long by 10 ft wide by 10 ft tall. It will sit upon a 19ft by 12 ft by 1 ft concrete foundation. The construction and installation of the structure is expected to impact approximately 40 lineal feet of the river bank but will only permanently alter 10 feet of bank. This structure will be placed at the existing outfall location that has been altered from natural conditions as part of required maintenance activities. Placement of the structure will reduce the frequency for disruptive maintenance activities at the outfall location.

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

* Legal Description
  + Latitude/Longitude: 47.512424, -111.383318
  + Section, Township, and Range: 05 20N 03E
  + Town/City, County, Montana: Great Falls, Cascade County, Montana
* Location Map







# **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.*

This project aims to keep the Wadsworth Lake drainage pipe clear of silt to allow for regulation of floodwater, dewatering and cleaning for USACE inspections, and for filling of Wadsworth Lake.

The project is to install a concrete box structure on the outlet of the outfall pipe. This structure will reduce silt accumulation and allow for cleaning of debris. This structure will reduce “cleaning” of the outfall structure and disturbance of the bank that is currently required for USACE inspections. It will also decrease flooding potential and maintain integrity of the levee by keeping the drain pipe clear of debris and obstruction.

By improving water flow through the pipe, Wadsworth Lake will maintain a better elevation which will improve ecological and recreational aspects of the lake while improving human health and safety conditions.

This project will reduce the need to disturb the outlet area of the drain including the streambank. Reducing the need to clean the pipe for inspections will reduce a point source of turbidity in the Sun River.

This project is estimated to take 12 weeks but will lead to less routine disturbances that are currently necessary for USACE inspections.

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** |
| **Cascade County** | **Floodplain Permit** |  |
| **USACE** | **NWP 7, 404 Permit** |  |
| **DEQ** | **401 Certification** |  |
| **USACE** | **Section 408 permission** |  |

# **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 4 below.*

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

|  |  |  |
| --- | --- | --- |
| **Activity** | **Special Condition** | **Description** |
|  |  |  |
|  |  |  |
|  |  |  |
|  |  |  |
|  |  |  |

# **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

# **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 |  |  |  |  |  |  |  |  | This project will improve habitat for terrestrial, avian, and aquatic life within Wadsworth Lake. The impact will be beneficial to habitat. |
| Water quality, quantity, and distribution |  |  |  |  |  |  |  |  | This project will increase water quantity within Wadsworth Lake which would improve water quality specifically temperature, nutrient cycling, and suspended solids. Impacts would be noticeable and beneficial. |
| Geology |  |  |  |  |  |  |  |  | No impact |
| Soil quality, stability, and moisture |  |  |  |  |  |  |  |  | This project will have short term impacts to soil stability while the structure was placed at the outfall but any change to soil stability will be negligible. |
| Vegetation cover, quantity, and quality |  |  |  |  |  |  |  |  | This project will have short term impacts to vegetation cover while the structure was placed at the outfall but any change to vegetation cover will be negligible. Construction plans include revegetation. |
| Aesthetics |  |  |  |  |  |  |  |  | This project will have short term impacts to aesthetics wile heavy machinery is used to place the structure at the outfall but any impacts will be short term and negligible. |
| Air quality |  |  |  |  |  |  |  |  | This project will have short term impacts to air quality wile heavy machinery is used to place the structure at the outfall but any impacts will be short term and negligible. |
| Unique, endangered, fragile, or limited environmental resources |  |  |  |  |  |  |  |  | No impact |
| Historical and archaeological sites |  |  |  |  |  |  |  |  | No impact |
| Demands on environmental resources of land, water, air, and energy |  |  |  |  |  |  |  |  | No impact |

**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 |  |  |  |  |  |  |  |  | No impact |
| Cultural uniqueness and diversity |  |  |  |  |  |  |  |  | No impact |
| Access to and quality of recreational and wilderness activities |  |  |  |  |  |  |  |  | This project will improve recreational value of Wadsworth Lake by improving water quality and quantity. This impact will be beneficial to recreational activities. |
| Local and state tax base and tax revenues |  |  |  |  |  |  |  |  | No impact |
| Agricultural or Industrial production |  |  |  |  |  |  |  |  | No impact |
| Human health and safety |  |  |  |  |  |  |  |  | This project will allow the drain pipe to function properly without continual maintenance. This drain pipe is designed to move floodwaters from the north side of the Sun River levee into the Sun River. This impact will be beneficial for human safety. |
| Quantity and distribution of employment |  |  |  |  |  |  |  |  | No impact |
| Distribution and density of population and housing |  |  |  |  |  |  |  |  | No impact |
| Demands for government services |  |  |  |  |  |  |  |  | No impact |
| Industrial, agricultural, and commercial activity |  |  |  |  |  |  |  |  | No impact |
| Locally adopted environmental plans and goals |  |  |  |  |  |  |  |  | No impact |
| Other appropriate social and economic circumstances |  |  |  |  |  |  |  |  | No impact |

**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 |

# **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)
* *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 EA to those persons for review and comment (ARM 12.2.433(3)).*
* *FWP will issue public notice in the following newspaper periodical(s) on the date(s) indicated.*

|  |  |
| --- | --- |
| **Newspaper / Periodical** | **Date(s) Public Notice Issued** |
|  |  |
|  |  |

* *Public notice will announce the availability of the EA, summarize its content, and solicit public comment.* 
  + **Duration of Public Comment Period:** *The public comment period begins on the date of publication of legal notice in area newspapers (see above). Written or e-mailed comments will be accepted until 5:00 p.m., MST, on the last day of public comment, as listed below*:

**Length of Public Comment Period:** 15 days

**Public Comment Period Begins**: 10/18/2023

**Public Comment Period Ends**: 11/2/2023

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

* + **Where to Mail or Email Comments on the Draft EA:**

Name: Katie Vivian

Email: kvivian@mt.gov

Mailing Address:

PO Box 1398 Choteau, MT 59422

# **Recommendation for Further Environmental Analysis**

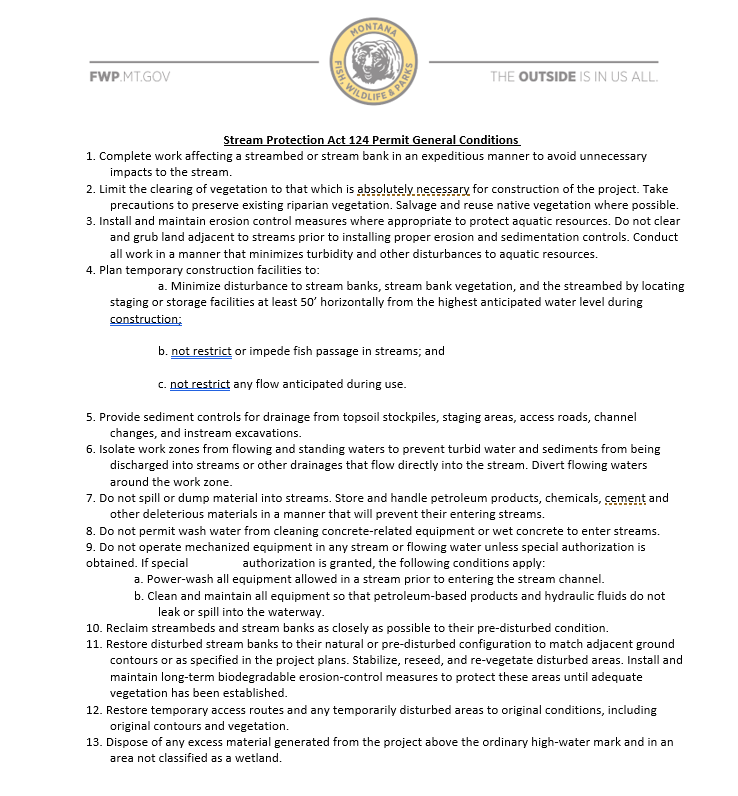
|  |  |
| --- | --- |
| **NO** further analysis is needed for the proposed action |  |
| FWP must conduct **EIS** level review for the proposed action |  |

# **EA Preparation and Review**

|  |  |  |
| --- | --- | --- |
|  | **Name** | **Title** |
| **EA prepared by:** | Katie Vivian | Fisheries Biologist |
| **EA reviewed by:** |  |  |

# **Attachment 1**

## **SPA 124 Permit General Conditions**

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