

# **Final**

# **ENVIRONMENTAL ASSESSMENT**

## **Sportsman's Bridge - Land Replacement and Fishing Access Site Development**

**(FWP-SEA-POR-R1-24-008)**

**June 17, 2024**



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# Environmental Assessment

The Montana Department of Fish, Wildlife and Parks (FWP) has prepared this Final 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 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.

This EA was prepared for the following action:

<b>PROJECT NAME:</b> Sportsman’s Bridge –Land Replacement and Fishing Access Site Development	
<b>LOCATION:</b> HWY 82 Flathead River Bridge	<b>COUNTY:</b> Flathead
<b>PROPERTY OWNERSHIP:</b> <input type="checkbox"/> <b>FEDERAL</b> <input checked="" type="checkbox"/> <b>STATE</b> <input type="checkbox"/> <b>COUNTY</b> <input checked="" type="checkbox"/> <b>PRIVATE</b>	
<b>EA PREPARER:</b> Eric Merchant	<b>DATE ISSUED:</b> 04/23/2024

## 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

This section includes background information and a description of the proposed project including the responsible party, the type of proposed action and the anticipated schedule of the proposed project.

### **Name of Proposed Project:** Sportsman's Bridge Land Replacement and Fishing Access Site Development

FWP proposes to re-locate Sportsman's Bridge Fishing Access Site (FAS) to the west side of the Flathead River to facilitate the Montana Department of Transportation's (MDT) replacement of Sportsman's Bridge over the Flathead River on Highway 82 (**Figure 2**). In 2009, MDT began a robust planning process and detailed analysis for the replacement of the existing Sportsman's Bridge. MDT's analysis of the project is contained in the MDT Environmental Services Bureau Categorical Exclusion Documentation (Control Number 6850000) and in a letter dated March 28, 2019, from MDT to FWP detailing the history of the project and agreed upon mitigation measures (**Appendix A 1,2**). Through this process MDT determined part of the footprint of FWP's existing Sportsman's Bridge FAS falls within the existing HWY 82 right-of-way. . Because MDT's replacement of the Flathead River Bridge encroaches on the existing FAS footprint, modification of the existing FAS or MDT acquisition of land and development of a new, nearby FAS would be required to accommodate ongoing high demand for recreational opportunity at the affected site. The existing FAS has been accessed by the public since 1959 and represents a high-use recreational asset in the affected area. Further, because the bridge replacement encroaches on the existing FAS, MDT is obligated to accommodate FWP for necessary changes (i.e., modification of existing FAS, MDT acquisition of land for new FAS).

During initial project negotiations between MDT and FWPs, MDT's proposed 18.22 acre replacement property on the west side of the Flathead River was not available for purchase or lease and thus did not represent a viable alternative or approach (i.e., reasonable alternative) to meeting MDT requirements, while maintaining public access to the Flathead River in the affected area. Any necessary changes to the existing FAS would occur in roughly the same developed footprint with some important caveats: it would be necessary to add several new parking spaces, replace the existing boat ramp, and pave a new entrance road and parking area through wetland property owned by the Hanging Rock Homeowner's Association (HOA). Therefore, a new entrance road would be needed, accessible from Hanging Rock Road instead of the existing entrance from Highway 82. Further, to accommodate necessary modifications to the existing FAS, FWP would be required to transfer approximately 1.5 acres of FWP land (either in fee title or easement) to MDT and MDT would need to secure a permanent and approximate 3.32-acre easement from the HOA and then transfer the easement to FWP. At this time, it is uncertain MDT can accomplish all the requirements necessary for modification of the existing FAS.

On March 24, 2023, FWP published a Draft EA (**Appendix A 3**) proposing the above-cited changes to the existing FAS, as necessary to meet MDT requirements for the replacement of Sportsman's Bridge. On April 17, 2023 FWP issued a decision notice (**Appendix A 4**) adopting the draft EA as Final. Again, the initial Draft EA did not analyze the proposed new west side FAS site because, at that time, MDT's proposed 18.2218.22-acre property acquisition on the west side of the Flathead River was not available for purchase and thus did not represent a reasonable alternative for meeting MDT's requirements while maintaining public access to the Flathead River in the affected area. Following the public participation process for the initial Draft EA, the 18.2218.22-acre property located on the west side of the Flathead River became available for purchase. This property represents more suitable land for the purposes of the FAS now and into the future. More specifically, the west side property is more suitable than the existing FAS from the standpoint of public safety, to accommodate the current level of recreational use/need in the affected area, and to accommodate any future expansion of FAS

infrastructure, as deemed necessary to accommodate recreational trends in the affected area. Therefore, FWP's preferred alternative is now the proposed action, or development of a new Sportsman's Bridge FAS on the west side of the Flathead River and adjacent to the new Highway 82 Flathead River Bridge.

The initial Draft EA for proposed modifications to the existing FAS will be rescinded by FWP to facilitate analysis of the proposed west side replacement and development of a new FAS. The proposed modifications analyzed by the initial Draft EA (modifications to existing east side FAS) constitute an alternative to the proposed action (new west side FAS) for the purposes of this Final EA, as analyzed under Alternative 3 (**see Section XII.A and B**).

Under the proposed action, MDT will purchase approximately 18.22 acres of privately owned land on the west side of the Flathead River in FWP's name. FWP would retain ownership of the existing FAS on the east side of the river until such time as it can be transferred to MDT. MDT will contribute \$4.4 million previously committed to the reconstruction and modification of the existing east side FAS towards acquisition of the west side property FWP would be responsible for contributing approximately \$801,845 towards the purchase of the west side property and estimated \$275,000 for development. FWP funding to support the land purchase and development will be a combination of state and federal funds.

The replacement land would be developed to establish a new Sportsman's Bridge FAS on the west side of the Flathead River. The new Sportsman's Bridge FAS would be necessary in response to MDT's proposed replacement of the existing Highway 82 Sportsman's Bridge, and associated loss of the existing Sportsman's Bridge FAS located on the east side of the Flathead River and adjacent to Highway 82 (**Figure 2**). More specifically, the existing Sportsman's Bridge FAS must be decommissioned to accommodate MDT highway "right-of-way" requirements for development of a proposed new Highway 82 Sportsman's Bridge.

The existing Sportsman's Bridge FAS was established in 1959 and accommodates seasonally high use as a recreational access point for both the Flathead River north of Flathead Lake (upper Flathead River) and to Flathead Lake, which is located approximately 2 miles downstream of the existing and proposed new Sportsman's Bridge FAS. More specifically, since 2019, recreational use of the existing Sportsman's Bridge FAS has averaged approximately 15,614 vehicle entrances annually. Visitation occurs year-round, but peaks in July and August with approximately 2,500 to 3,000 vehicle entrances during each of those months. Therefore, FWP determined replacement of the existing Sportsman's Bridge FAS is preferred to accommodate ongoing high, and increasing, public demand for recreational opportunities and access to the upper Flathead River and Flathead Lake from the affected site.

Development of the new Sportsman's Bridge FAS, as proposed, would cost approximately \$275,000. Funding for development of the new FAS would be provided by FWP. Amenities at the existing Sportsman's Bridge FAS include two single-ramp boat launches, parking facilities suitable for 25 vehicles with trailer, 10 single vehicles and a vault latrine (**Figure 3**). Proposed amenities at the new Sportsman's Bridge FAS include a double wide boat ramp capable of accommodating two boats at a time, parking facilities suitable for 38 vehicles with trailer, 11 single vehicle spaces, regulatory signage, and a vault latrine (**Figure 4**).

Further, in acquiring and developing the existing Sportsman's Bridge FAS, federal Dingell-Johnson or DJ funds were leveraged by FWP to cover 75% of the cost of the proposed project. In so doing, the federal government established an encumbrance or claim against FWP for the federal share of the existing Sportsman's Bridge FAS asset. Therefore, if/when FWP decommissions and removes the existing Sportsman's Bridge FAS, the associated DJ encumbrance must be applied to a similar project (i.e., FAS or another recreational asset), transferred to another owner or site, or sold to resolve the encumbrance.

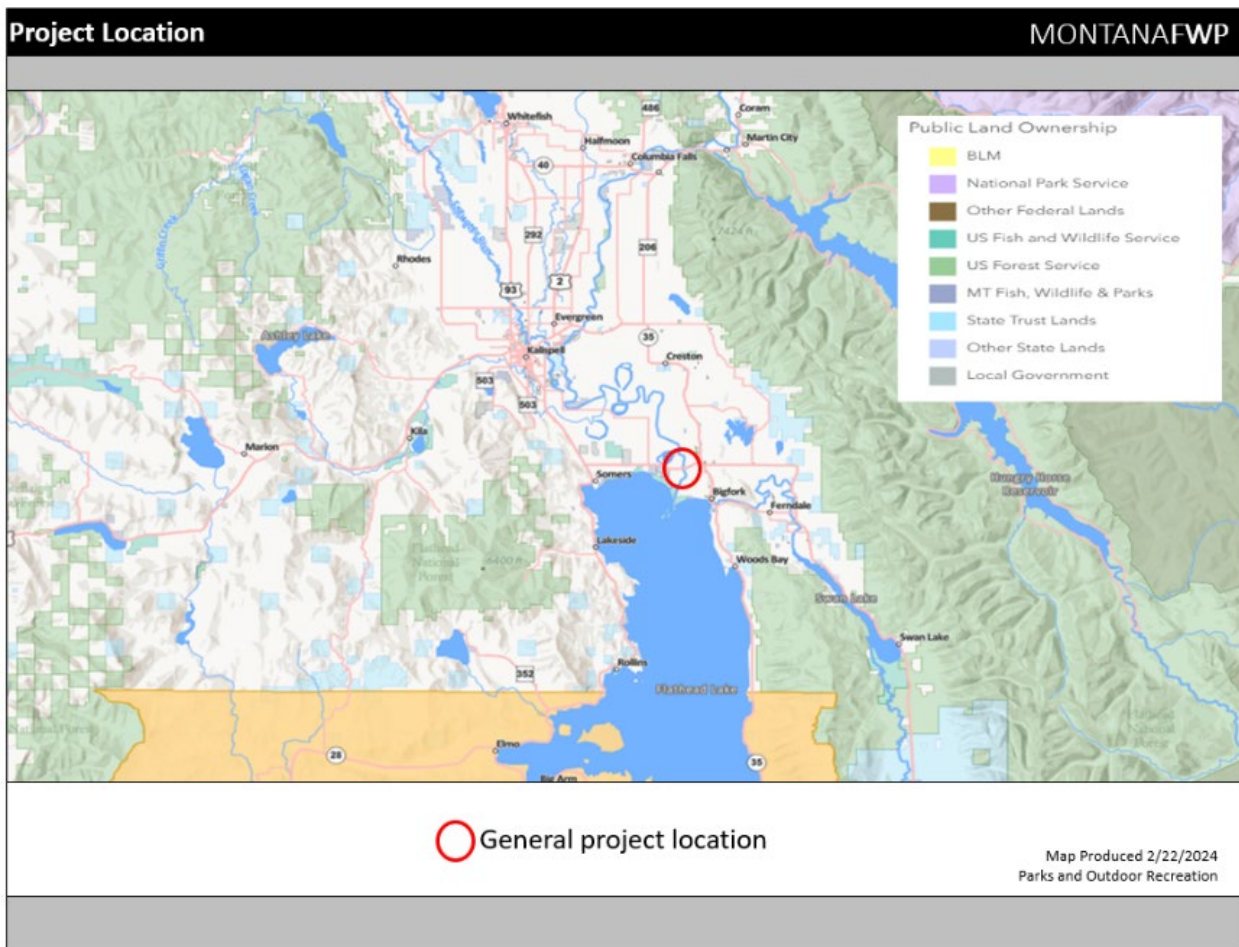
To facilitate the proposed project, it is FWP's intent to either transfer the DJ encumbrance to a new FWP recreational property (TBD) or to buy-out the DJ encumbrance on the existing Sportsman's Bridge FAS. In either

case, additional review pursuant to MEPA will be required for the encumbrance action and thus the affected public will be afforded opportunity for comment/input on the necessary encumbrance action at that time.

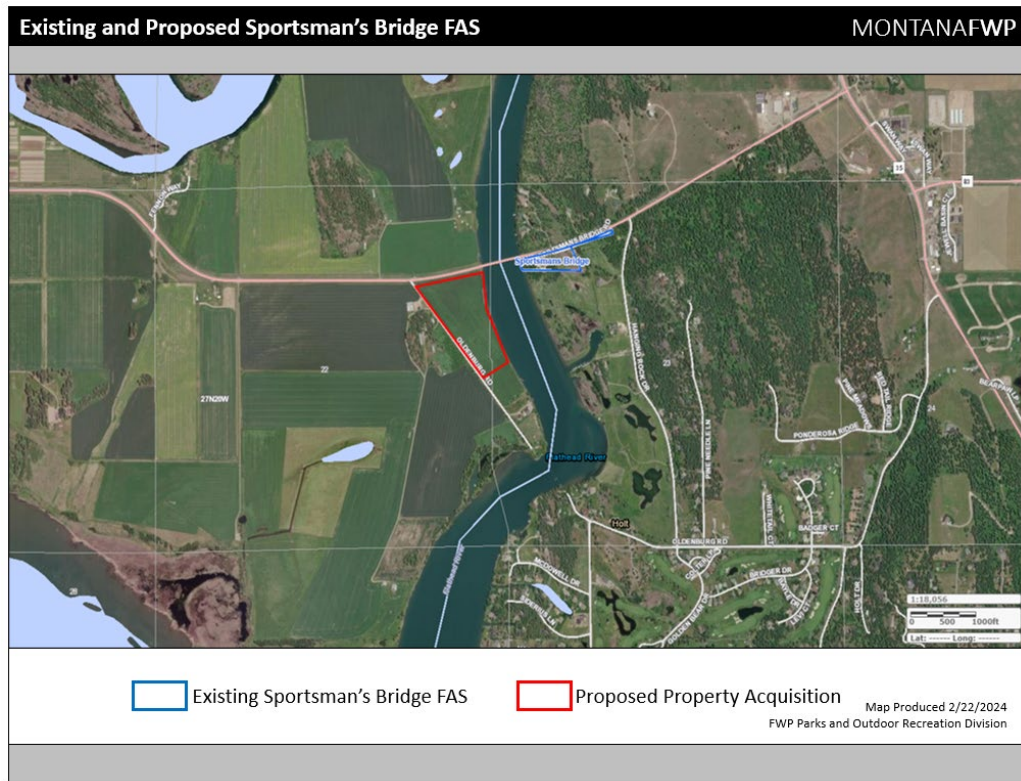
### Affected Area / Location of Proposed Project

- Legal Description
  - Latitude/Longitude: 48.0908, -114.1176
  - Section, Township, and Range: Section 22, Township 27N, Range 20W
  - Town/City, County, Montana: Bigfork, Flathead County, Montana
- Location Map

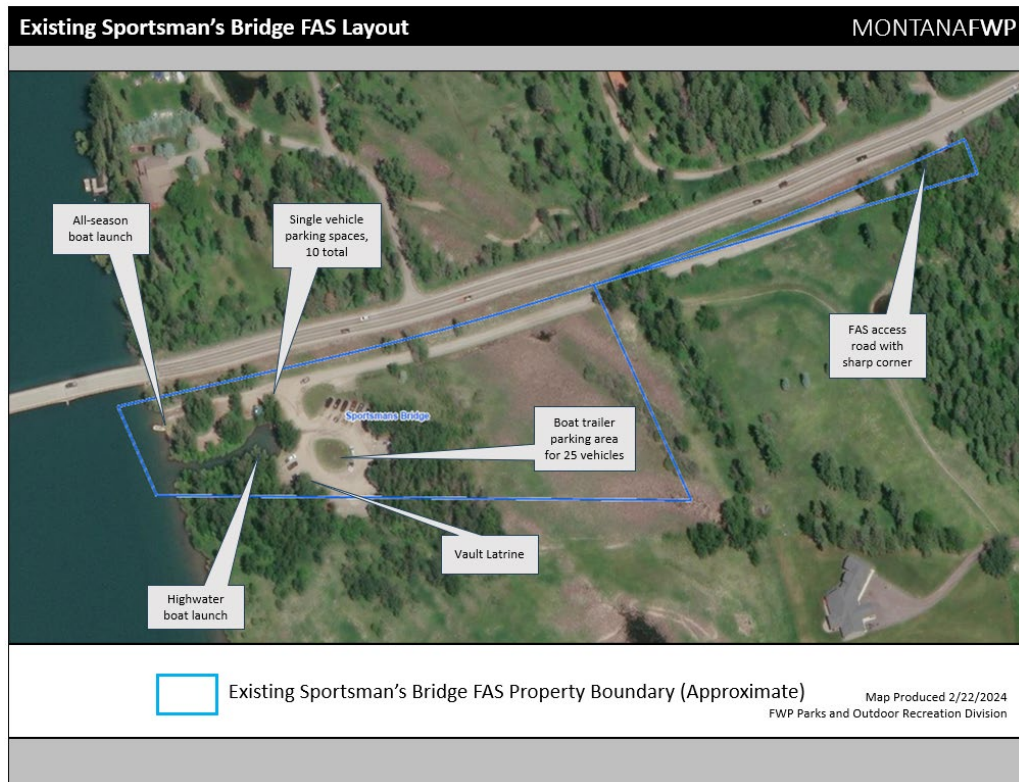
FIGURE 1. General Project Location



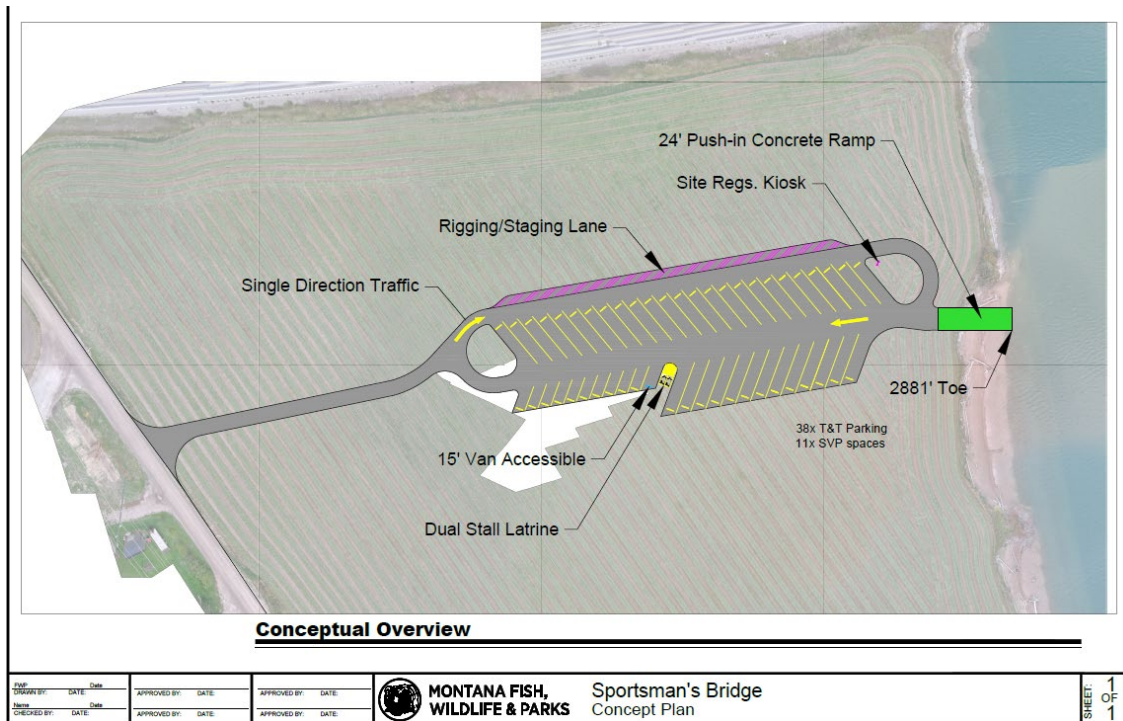
**FIGURE 2. Proposed Property Acquisition and Current FAS location**



**FIGURE 3. Existing Sportsman's Bridge FAS Layout**



**FIGURE 4. Proposed General Concept of New FAS**



### III. Purpose and Benefits of Proposed Project

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.

FWP proposes to decommission the existing Sportsman's Bridge FAS located on the east side of Sportsman's Bridge and develop a new FAS on the west side of the river. MDT will acquire approximately 18.22 acres of land on the west side of Sportsman's Bridge that FWP would develop as a new Sportsman's Bridge FAS. The new land acquisition would be in FWP's name and FWP would eventually hold title to the property. The proposed action would be necessary to comply with MDT requirements associated with the proposed replacement of the existing Highway 82 Flathead River Bridge. The purpose of the proposed action is to accommodate ongoing high demand for recreational opportunities and access to the upper Flathead River and Flathead Lake from the affected site.

More specifically, under the proposed action, FWP would develop the west side replacement property to establish a new Sportsman's Bridge FAS including the following amenities (**Figure 4**):

- A double wide boat ramp capable of accommodating two boats at a time,
- Gravel Parking facilities suitable for 38 vehicles with trailer and 11 single vehicles and appropriate control barriers. FWP will pave the FAS as funds are available, and will add additional screening with vegetation and berms from surplus topsoil. The entrance to the FAS will be shifted north as far as functionally possible.
- FWP will construct a security fence around the pumphouse located on the SE portion of the property,
- Vault latrine.
- Regulatory and informational signage. FWP will request Flathead County to post no parking signs and signage indicating a dead-end road along Oldenburg Road.
- Access to approximately 1,000 ft of Flathead River shoreline.

FWP anticipates implementation of the proposed action to begin in the spring of 2025 and project completion by summer 2025.

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?	<input type="checkbox"/>	<input checked="" type="checkbox"/>

\* If yes, a copy of the cost/benefit analysis prepared for the proposed project is included in Attachment A to this Final 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 state requirements but does not necessarily represent a complete and comprehensive list of all permits, certificates, or approvals needed. Rather, **Table 1** lists the primary state agencies with regulatory responsibilities, the applicable regulation(s) and the purpose of the regulation(s). 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
Montana DEQ	MPDES Permit	Regulate wastewater discharges by limiting the quantities of pollutants to be discharged. The limits in the permit help ensure compliance with Montana's Water Quality Standards, and State and Federal Regulations
Montana DEQ	§ 318, Short Term Turbidity Authorization	Short-term exemption from waster turbidity standards during construction
U.S. Army Corp of Engineers	Section 404 Permit  Section 10 Permit	Permit authorizing the owner to dredge or fill material into Waters of the US.  Permit authorizing the owner to construct any structure in or over navigable water bodies in the US.
Flathead County Planning and Zoning	Construction/building Permit, Floodplain Permit	Permits authorizing the property owner to construct within the floodplain.
FWP	Stream Protection Act: 124 Permit.	Permit authorizing State entity to alter natural existing shape and form of any stream or its banks or tributaries by any type or form of construction after review by FWP

## 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. **Table 2** 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**

<i>Are enforceable controls limiting potential impacts of the proposed action? If not, no further evaluation is needed.</i>			<b>Yes</b> <input checked="" type="checkbox"/>	<b>No</b> <input type="checkbox"/>
<i>If yes, are these controls being relied upon to limit impacts below the level of significance? If yes, list the enforceable control(s) below</i>			<b>Yes</b> <input checked="" type="checkbox"/>	<b>No</b> <input type="checkbox"/>
<b>Enforceable Control</b>	<b>Responsible Agency</b>	<b>Authority (Rule, Permit, Stipulation, Other)</b>	<b>Effect of Enforceable Control on Proposed Project</b>	
318 Short Term Turbidity Authorization	Montana DEQ	§ 318, Montana Clean Water Act	Allows for a short-term exemption from water turbidity standards during construction.	
404 Permit Issuance, Enforcement Action, Fines	USACE	Section 404 of the Clean Water Act	To protect, reduce or eliminate pollution in the Nation's water in order to maintain its integrity.	
310 Permit Issuance, Enforcement Action, Fines	USACE	Section 10 of the Rivers and Harbors Act	To regulate work in a navigable water of the U.S. that would affect the course, location or condition of the waterbody.	
SPA 124 Permit Issuance, Enforcement Action, Fines	Flathead County Floodplain Administrator	Flathead County Floodplain Management Regulations and SPA 124 Permit	In general, to protect human life and health and manage environmental and economic impacts caused by flooding in mapped flood areas.	

## VI. Alternatives Considered

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

### **Alternative 1: No Action, Remove Existing FAS without Replacement**

Under the No Action alternative, and in response to MDT's proposed removal of the existing Highway 82 Sportsman's Bridge, FWP's existing Sportsman's Bridge FAS would be decommissioned and removed without developing and establishing a new FAS in the affected area. The existing Sportsman's Bridge FAS was purchased in 1959 and accommodates seasonally high use as a recreational access point for both the upper Flathead River and to Flathead Lake. Under the No Action Alternative recreational opportunities at the affected site would no longer be available.

### **Alternative 2: Proposed Project, New FAS (west side Flathead River)**

Under the proposed project, and in response to MDT's proposed removal of the existing Highway 82 Sportsman's Bridge and associated loss of the existing Sportsman's Bridge FAS, FWP would accommodate ongoing high public demand for recreational opportunities and access to the upper Flathead River and Flathead Lake from the affected site. The proposed action includes the following elements:

- Close and remove the infrastructure at the existing Sportsman’s Bridge FAS, as required by MDT for replacement of the existing Highway 82 Flathead River Bridge (**Figure 3**) and transfer title to MDT.
- MDT will acquire 18.22 acres of privately owned land on the west side of the Flathead River adjacent to Sportsman’s Bridge, as required through accommodation for frustrating access to the existing FWP FAS on the east side of the Flathead River (**Figure 2**).
- Develop the accommodated land to establish a new Sportsman’s Bridge FAS and accommodate ongoing high demand for high quality and safe recreational opportunities and access to the upper Flathead River and Flathead Lake from the affected site.

**Alternative 3: Modification of Existing FAS (east side Flathead River)**

The original mitigation plan for the realignment of the new Highway 82 Flathead River Bridge called for rebuilding the existing Sportsman’s Bridge FAS on its current parcel but shifted further south out of the right of way. During the April 2023 Fish & Wildlife Commission (commission) meeting discussing the proposed changes at the existing Sportsman’s Bridge FAS, public comment was received recommending the site be moved to the west side of the Flathead River. This option had been evaluated in 2011, but the landowner was not interested in selling the land at that time. FWP and MDT recently determined that the owner of the parcel on the west side of the river across from the current FAS was now interested in selling. Other factors considered in the decision to move the access to the west side of the river included increased safety as a result of increased sight distances for turning off the highway into the FAS, unresolved HOA easement issues for the proposed new entrance into the existing FAS off Hanging Rock Drive, and the lack of room for future expansion at the existing FAS. The new location on the west side of the river addresses all of these factors and considerations.

The Alternative 3 action would include the following elements:

- Transfer of approximately 1.5 acres of FWP lands at the existing Sportsman’s Bridge FAS (either in fee or easement)
- MDT must acquire permanent easement for FWP on approximately 3.32 acres owned by the affected HOA. The easement is necessary to complete MDT’s bridge replacement project to accommodate a new and safer access road into Sportsman’s Bridge FAS off Hanging Rock Drive.
- Modification of existing or construction of new FAS infrastructure.

MDT’s ability to acquire the necessary HOA easement to accommodate Alternative 3 is uncertain.

		Yes*	No
Were any additional alternatives considered and dismissed?		<input type="checkbox"/>	<input checked="" type="checkbox"/>

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

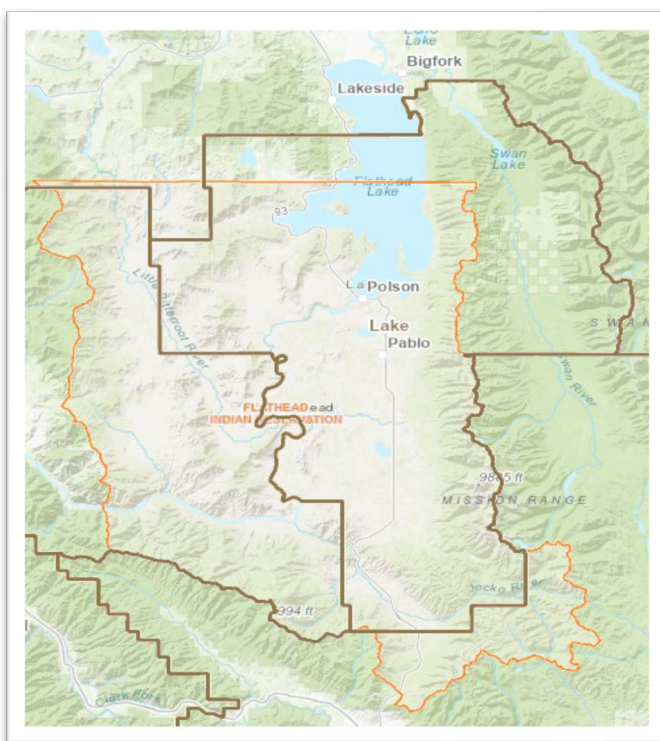
## VII. General Setting of the Affected Environment

### Physical Environment

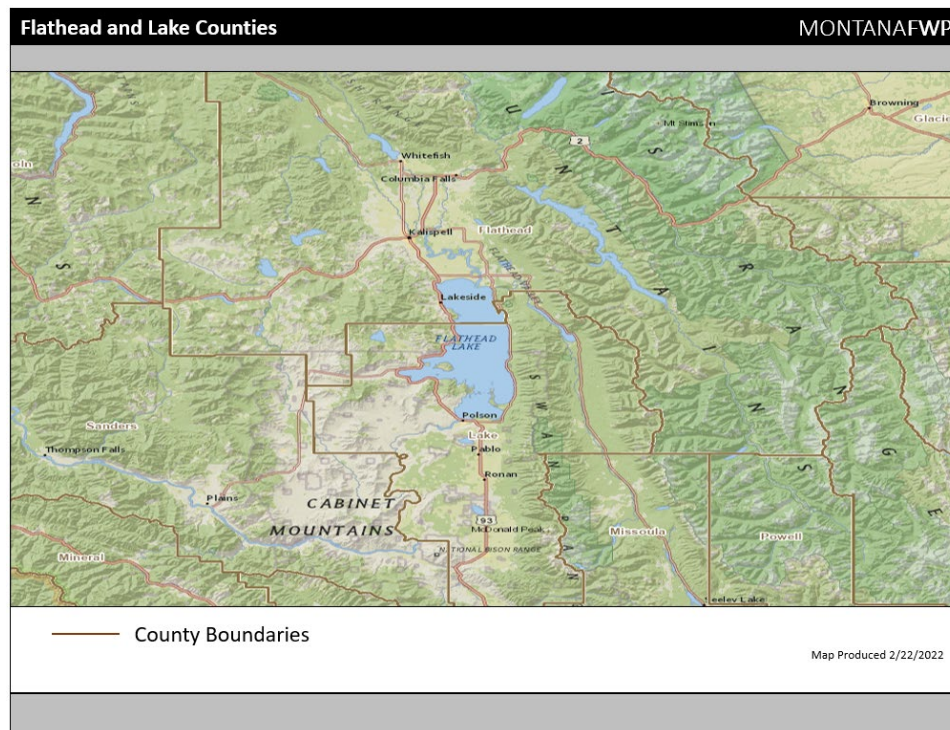
The footprint of the proposed new Sportsman’s Bridge FAS is approximately 6 acres within a larger 18.22-acre property acquisition located in proximity to the existing (and proposed new) Highway 82 Sportsman’s Bridge crossing on the upper Flathead River, approximately 2 miles upstream of the Flathead River confluence with Flathead Lake. The analysis area for direct, secondary, and cumulative impacts on the affected human environment analyzed by this Final EA includes the upper Flathead River, Flathead Lake, and more broadly Flathead and Lake Counties.

Flathead County covers ~ 5256 square miles (~ 13,613 km<sup>2</sup>) of which ~ 5,088 square miles (~ 13,180 km<sup>2</sup>) is land and 169 square miles (440 km<sup>2</sup>) (3.2 %) is water, with the largest water body being Flathead Lake. It is the third-largest county in Montana by land area and second largest by total area. Flathead County includes much of [Flathead Lake](#), the [Flathead Valley](#), and the [Flathead River](#). These natural treasures were created by glacial activity approximately 10,000 years ago. The Flathead Valley is the southern extension of a prominent valley called the Rocky Mountain Trench, which runs from the Yukon Territory in Canada as far south as Flathead Lake. The Trench in northwestern Montana was created by subsidence along a major extensional fault, which continues today. After the valley formed, glaciers flowing down the Trench from British Columbia, and into it from the surrounding mountain ranges left a flat valley floor and dammed the Flathead River drainage to create Flathead Lake. Several tribes have long used Flathead Lake, and the [Bitterroot Salish](#), [Kootenai](#), and [Pend d'Oreilles](#) tribes, also known as the [Confederated Salish and Kootenai Tribes of the Flathead Nation](#), are represented on the nearby [Flathead Reservation](#). The western part of [Glacier National Park](#) is also located within Flathead County (Wikipedia, Flathead County, MT).

**Figure 5. Lake County and Flathead Indian Reservation**



**FIGURE 6. Flathead and Lake Counties**



Lake County covers ~ 1,654 square miles (4,280 km<sup>2</sup>), of which ~ 1490 square miles (~ 3,900 km<sup>2</sup>) is land and 164 square miles (420 km<sup>2</sup>) (9.9%) is water with the largest water body being Flathead Lake. (Wikipedia, Lake County, MT). The Flathead Indian Reservation lies mostly within the boundaries of Lake County.

Flathead and Lake Counties are characterized by Flathead Lake and associated river valleys divided by rugged mountain ranges. Major drainages include the Flathead River, which forms Flathead Lake and ultimately flows into the Clark Fork River and the Swan River which flows into Flathead Lake near the town of Bigfork and the site of the proposed action. A multitude of smaller drainages characterized as creeks are also present. Lower elevation habitats (below 6,000 ft., 1,829 m) vary greatly and include large areas of shortgrass/sagebrush prairie, mountain foothills, intensively cultivated areas (grain and hay field agriculture), natural wetlands/lakes, riparian plant communities ranging from narrow stream bank zones to extensive cottonwood river bottoms, man-made reservoirs, and small communities to moderately sized towns.

The mountainous portion of Flathead County (above 6,000 ft., 1,829 m) contains all, or portions of, 8 mountain ranges including the Salish Mountains, Flathead Range, Livingston Range, Clark Range, Smokey Range, and the Lewis Range. The mountainous portion of Lake County (above 6,000 ft., 1,829 m) contain all, or portions of, 2 mountain ranges including the Rattlesnake Mountains and the Mission Mountains range. Mountainous habitats are dominated by coniferous forest (Douglas fir, lodgepole pine, Engelmann spruce, western cedar, hemlock, whitebark pine, limber pine, ponderosa pine, juniper), and rocky sub-alpine/alpine communities found above timberline.

### **Human Population**

As of July 1, 2022, an estimated 1,122,878 people lived in Montana of which an estimated 111,814 resided in Flathead County and another 32,853 resided in Lake County. The 2022 population estimate for Flathead and Lake Counties reflects a population increase of 7.2% and 5.5%, respectively, since April 1, 2020, both of which surpass the statewide growth rate of 3.6% for the same time-period (U.S. Census, 2022).

The demographic make-up of *race* for Flathead and Lake County residents, as related to the overall population of Montana, are identified in **Table 3**. Over two-thirds of Lake County’s land lies within the Flathead Indian Reservation; therefore, the human population of Lake County includes a relatively large percentage of Native Americans.

**Table 3** Flathead County, Lake County, and related State of Montana race demographics (U.S. Census, 2022)

Race	Flathead County, Percent of Total (%)	Lake County, Percent of Total (%)	State of Montana, Percent of Total (%)
White	91.7	65.5	85.3
Hispanic or Latino	3.6	4.8	4.5
Native American	1.3	23.7	6.5
Asian	1.1	0.9	1.1
Black or African American	0.3	0.5	0.6
Other	2.0	4.6	2.0

The demographic make-up of *age and sex* for Flathead and Lake County residents related to the overall population of Montana are identified in **Table 4**, below.

**Table 4** Flathead County, Lake County, and related State of Montana age and sex demographics (U.S. Census, 2022)

Age and Sex	Flathead County, Percent of Total (%)	Lake County, Percent of Total (%)		State of Montana, Percent of Total (%)
Under 5 years	4.9	5.1		5.2
Under 18 years	21.5	21.7		20.8
65 years and over	20.9	23.9		20.0
Female	49.9	50.6		49.3
Male	50.1	49.4		50.7

The demographic make-up for the *level of education* demographic in Flathead and Lake County related to the overall state of Montana are reflected in **Table 5**, below:

**Table 5** Flathead County, Lake County, and related State of Montana education-level demographics (U.S. Census, 2022)

Level of Education	Flathead County, Percent of Total (%)	Lake County, Percent of Total (%)	State of Montana, Percent of Total (%)
High School Graduation or higher (age 25 years +, 2018-22)	95.6	92.3	94.5
Bachelor’s Degree or higher (age 25 years +, 2018-22)	34.9	31.9	34.0

## Economics

The *median household income and percent of persons in poverty* demographic for Flathead and Lake Counties related to the overall state of Montana are reflected in **Table 6**, below:

**Table 6** Flathead County, Lake County, and related State of Montana income and poverty demographics (U.S. Census, 2022)

	Flathead County	Lake County	State of Montana
Median household income in 2022 dollars (2018-2022)	\$68,205	\$58,009	\$66,341
Per capita income in past 12 months in 2022 dollars (2018-2022)	\$37,984	\$31,177	\$37,827
Persons in poverty	10.8%	18.2%	12.1%

## Agriculture

Montana, including Flathead and Lake Counties, supports a large agricultural economy. In 2022, there were an estimated 27,100 farms and ranches totaling 58,122,878 acres of land in agricultural use across Montana. Flathead County includes approximately 1,146 farms and ranches totaling 181,882 acres of land in agricultural use while Lake County includes 1,170 farms and ranches totaling 641,471 acres of land in agricultural use (U.S. Census, 2017, 2022).

Montana's approximate 58 million acres of land in farms and ranches ranks second in the nation behind Texas. The most common agricultural activities of Montana farms and ranches, including those located in Flathead and Lake Counties, raise beef cattle, grow forage (hay) for cattle, and grow grain crops (wheat, oats, barley). Sheep, hogs, and dairy cattle were also raised in smaller numbers (U.S. Census, 2017, 2022).

## Timber/Wood Products

Most of Montana's forested lands (~ 23 million acres) are located within the western part of the state, including within Flathead and Lake Counties. Nearly four million acres of these forest lands are permanently reserved as either wilderness areas or national parks. Eleven million acres of the remaining forested land is administered by the USFS, with 5.2 million acres of this public estate designated by current federal forest plans as suitable for timber production. Private forest lands occupy approximately 6 million acres, with 2 million owned and managed by large timber companies. Another four million acres of private forest lands are owned by some 11,000-plus individuals. Timber production across Montana, including Flathead and Lake Counties, has declined since the late 1980s ([http://www.bber.umt.edu/fir/s\\_mt.asp](http://www.bber.umt.edu/fir/s_mt.asp)). In 1988, an estimated 1,163 million board feet (MMBF) were produced state-wide; this declined to approximately 352 MMBF in 2009, before recovering slightly to 367 MMBF in 2018.

## Mining

Large mineral deposits, ranging from talc to gold, are located throughout western Montana, including within Flathead and Lake Counties. Of these, metallic minerals provide the largest share of Montana's non-fuel mining income, with copper, palladium, and platinum leading the list of important metals (these latter two being mined nowhere else in the United States). In 2012 (last available data), there were a total of 53 mines in production,

development, standby permitting, or reclamation status, all but seven of which were located within the western half of the state.

## Recreation

Outdoor recreation and tourism are major components of Montana's economy, particularly in the mountainous western part of the state, including within Flathead and Lake Counties. Western Montana is nationally renowned for its high-quality fishing, hunting, camping, hiking, boating, skiing, snowmobiling, wildlife viewing, and sightseeing opportunities. Many of these outdoor activities are made possible by public ownership of large tracts of land and public access provided by land management agencies, such as FWP, and private landowners. The proposed project would replace the existing Sportsman's Bridge FAS with a new Sportsman's Bridge FAS to be located on the opposite side of the river from the existing, to be closed FAS, thereby preserving, and enhancing existing recreational opportunities within Flathead County, on Flathead Lake, and the upper Flathead River.

Sportsmans' Bridge FAS currently provides access to Flathead Lake and the Flathead River and its sloughs for a wide range of water-based recreational activities. The primary activities include motorized and non-motorized recreational boating, fishing, and hunting for migratory birds. Sportsman's Bridge FAS is one of five FWP FAS' on the Flathead River upstream of Flathead Lake. On Flathead Lake five FWP FAS' and six State Parks provide boating access to the lake. Additionally, local, county, federal, and tribal entities provide access to the Flathead River and Flathead Lake.

Fish species listed as *Species of Concern* (SOC), or listed as *Threatened* under the federal Endangered Species Act in the project area are westslope cutthroat trout (SOC) and bull trout (threatened).

Westslope cutthroat trout (*Oncorhynchus clarki lewisi*) are a subspecies of cutthroat trout native to Montana. The westslope cutthroat trout is found in the Clark Fork River watershed, including the Flathead River drainage at the proposed project site, the Kootenai River watershed, and the headwaters of the Missouri River and the headwaters of the Saskatchewan River. The US Fish and Wildlife Service has been petitioned to include the westslope cutthroat trout under protection of the Endangered Species Act. In 2000, the US Fish and Wildlife Service determined that listing was not warranted at that time due to the species wide distribution, available habitat in public lands and conservation efforts underway by state and federal agencies. Primarily adfluvial westslope cutthroat trout exist in the vicinity of the proposed project. The term adfluvial defines *fish that spawn in tributary streams where the young rear from 1 to 4 years before migrating to a lake system, where they grow to maturity (USFS)*. Adfluvial westslope cutthroat trout migrate through the project area in two separate and distinct time frames: Spring (March-May) during upstream migration and Summer (June-July) for downstream return.

Bull trout (*Salvelinus confluentus*) are long-lived fish that do not reach breeding age until at least five years of age. Sub-adult and adult bull trout feed primarily on other fish (i.e., piscivore). Bull trout spawn in the fall, and their eggs remain up to six inches deep in spawning gravels until spring, when the fry emerge. Young bull trout remain in the stream for one to four years, among bottom rocks and other cover. Bull trout grow up to lengths of 37 inches and can weigh 20 pounds or more. Sub-adult and adult fluvial bull trout reside in larger streams and rivers (Flathead River) and spawn in smaller tributary streams. The term fluvial defines fish that spawn in tributary streams where the young rear from 1 to 4 years before migrating to a river system, where they grow to maturity; relating to or inhabiting a river or stream; produced by the action of a river or stream. Adfluvial bull trout reside in lakes (Flathead Lake) and spawn in tributaries. Primarily adfluvial Bull Trout exist in the vicinity of the proposed project. They migrate through the project area in two separate and distinct time frames; Spring (March-June) during upstream migration and Fall (September/October) during downstream return. The Montana Natural Heritage Survey shows the property to be within the general species range of designated ESA threatened grizzly bear, Canada lynx and wolverine and classifies them as "other potential species", but not observed.

## VIII. Terms Used to Describe Potential Impacts 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.

FWP may, as an alternative to preparing an EIS, prepare an EA whenever the action 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 action 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).

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
- Alternative 2: Proposed Project
- Alternative 3: Modification of Existing FAS

## IX. 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).

Under Alternative 1, "No Action", neither Alternative 2 nor Alternative 3 would 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 Alternative 2 and/or Alternative 3 are measured. For the purposes of the project, the cumulative impacts analysis below applies to all resources analyzed under Alternative 2, the proposed action, and Alternative 3, modification of the existing FAS (see Section XI.A and B, Alternative 2; Section XII.A and B, Alternative 3).

The information below identifies *related* past, present, and future actions (i.e., activities to be considered under the cumulative impacts analysis for both Alternative 2 and Alternative 3). Actions considered in these analyses were identified by FWP, MDT, and other subject matter experts. Past and present actions are accounted for as part of the existing, or "baseline," conditions of the affected human environment. MEPA is forward-looking, with analyses focused on the potential impacts of the proposed action, and/or any alternatives to the proposed action with consideration for any past, present, or future related actions. Pursuant to MEPA, because Alternative 2 and/or Alternative 3 are *related* to other past, present, and potential future MDT and FWP projects in the affected area, collective impacts to the affected human environment from these *related* projects must be considered. No significant adverse cumulative impacts would be expected because of either Alternative 2 or Alternative 3.

### **Narrative Discussion of Related Past, Present, and Future Actions:**

The existing Highway 82 Flathead River Bridge was established in 1955 and the existing Sportsman's Bridge FAS in 1959. Since that time, numerous MDT Highway 82 actions (i.e., bridge and road development and maintenance projects) have occurred within the existing Highway 82 corridor and right-of-way. Also, related projects have been proposed and implemented by FWP at the site of the existing Sportsman's Bridge FAS. More specifically, through time, related projects include the following:

- 1955- MDT constructs the Highway 82 Flathead River Bridge
- 2020- MDT approves replacement of the existing Highway 82 Flathead River Bridge
- 1959- FWP acquires property for development of the existing Sportsman's Bridge FAS
- 1963- FWP Installs high water launch at the existing Sportsman's Bridge FAS (lagoon)

- 1982- FWP makes access road improvements at the existing Sportsman's Bridge FAS
- 1993- FWP dredges high water launch at the existing Sportsman's Bridge FAS (lagoon)
- 1999- FWP seeks property re-appraisal for the existing Sportsman's Bridge FAS (valued at \$39,000.00)
- 2000- FWP installs second boat ramp at the existing Sportsman's Bridge FAS for all water levels and a latrine
- 2006/2007- FWP expands parking area at the existing Sportsman's Bridge FAS

Collective impacts from these related state actions have occurred over time and impacts to the safety, ecology, conservation, and recreational value of the affected landscape and actions from other related programs are, have been, and will continue to be considered prior to approval and implementation of any actions that may impact the affected human environment.

The base-intent of the proposed project, any alternatives to the proposed project, and any *related* past, present, and future actions associated with the development, maintenance, and improvement of the Highway 82 Flathead River Bridge and the Sportsman's Bridge FAS is to provide safe travel and high-quality recreational opportunities, respectively, for residents and visitors to the affected area. Therefore, any beneficial and/or adverse cumulative impacts associated with Alternative 2 or Alternative 3 would be long-term, consistent with current and historic impacts to the affected human environment, and negligible to minor.

The following list specifically identifies contemporaneous *related* actions or projects and cumulative impacts to the affected human environment of Alternative 2 and Alternative 3, when considered in conjunction with the identified contemporaneous *related* past, present, and future actions and alternative(s) to the proposed project:

- On April 21, 2020, MDT's Environmental Services Bureau issued its decision/Categorical Exclusion (CatEx) Document 6850000 for a *related* project analyzing potential impacts to the affected human environment associated with replacement of the existing Highway 82 Flathead River Bridge. MDT's environmental review determined the project would facilitate safe and necessary travel across the lower Flathead River at the affected site. Therefore, with consideration for MDT's bridge replacement project, any beneficial and/or adverse cumulative impacts resulting from Alternative 2, the proposed action, and/or Alternative 3, modification of the existing FAS, would be long-term and negligible to minor.
- On March 24, 2023, FWP published a Draft EA analyzing impacts associated with proposed modifications to the existing Sportsman's Bridge FAS to comply with MDT right-of-way requirements for the replacement of the existing Highway 82 Flathead River Bridge. This action was deemed necessary because the footprint of the existing FAS does not comply with MDT right-of-way associated with the new bridge. Further, MDT is obligated to accommodate/replace FWP's loss of the existing recreational site impacted by the bridge replacement project and, at that time, MDT and FWP determined modification of the existing FAS was the only available and reasonable alternative to comply with MDT right-of way while maintaining safe and adequate public access to the Flathead River and Flathead Lake in the affected area.

Neither the opportunity to acquire the west-side property (MDT) nor the opportunity to develop a new FAS on the west-side property (FWP) were available at the time of FWP's publishing of the March 24, 2023, Draft EA (see discussion below). Therefore, necessary modifications to the existing FAS were deemed potentially reasonable and appropriate to meet MDT right-of-way requirements, remedy FWP's recreational asset loss, and provide for continued recreational opportunities in the affected area. However, at this time, FWP is uncertain whether MDT can acquire the easement necessary for the new access road. In addition to the March 24, 2023, Draft EA, this project is further analyzed under Alternative 3 (**Section XII.A and B**), and further discussed below.

Again, the initial Draft EA did not analyze the proposed new west side FAS because, at that time, MDTs proposed 18.22-acre property acquisition on the west side of the Flathead River was not available for purchase and thus did not represent a reasonable alternative to meeting right-of-way requirements while maintaining public access to the Flathead River and Flathead Lake in the affected area (i.e., new FAS).

Following the public participation process for the initial Draft EA, the 18.22-acre private property located on the west side of the Flathead River became available for purchase. This property represents more suitable land for the purposes of the FAS now and into the future. More specifically, the west side property is more suitable than the existing FAS from the standpoint of public safety, to accommodate the current level of recreational use/need in the affected area, and to accommodate any future expansion of FAS infrastructure, as deemed necessary to accommodate recreational trends in the affected area.

Considering MDT's opportunity to remedy FWP's recreational asset loss by acquiring the west-side property, which FWP deems more suitable than the existing FAS site, FWP rescinded the March 24, 2023, Draft EA proposing modifications to the existing FAS. Under Alternative 2, FWP is instead proposing to decommission and remove the existing FAS and develop a new Sportsman's Bridge FAS on the west-side property to be acquired by MDT. No cumulative impacts of the proposed action would occur because of the rescinded project. Impacts associated with modification of the existing FAS to accommodate MDT right-of-way requirements for the Highway 82 Flathead Bridge replacement project were previously analyzed and publicly processed by the Draft EA issued by FWP on March 24, 2023, and are further analyzed under Alternative 3 in this Final EA.

With consideration for the contemporaneous *related* actions cited above, any cumulative impacts to the affected human environment from Alternative 2, the proposed project, and/or Alternative 3, modification of the existing FAS, would be long-term, consistent with current and historic impacts to the affected human environment, and negligible to minor.

Based on the environmental review conducted for the above-referenced project(s) and, with consideration for potential cumulative impacts to the affected human environment from Alternative 2, the proposed action, and Alternative 3 (see Section XI.A and B, Alternative 2; and XII.A and B, Alternative 3), FWP determined no significant adverse cumulative impacts would be expected. Any unknown future projects and associated cumulative impacts to the affected human environment would be assessed on a case-by-case basis pursuant to MEPA and other affected public processes and regulatory mechanisms, as applicable, prior to project approval and implementation.

#### **Cumulative Impacts to State-Listed Plant and Animal *Species of Concern* and Federal ESA-listed *Threatened* or *Endangered* Species.**

The base-intent of Alternative 2, the proposed project, or Alternative 3, as well as any/all past, present, and future actions associated with the creation, development, maintenance, and improvement of the Highway 82 Flathead River Bridge and/or the Sportsman's Bridge FAS is to provide safe travel, safe access, and high-quality recreational opportunities for residents and visitors to the affected area. Overall, neither Alternative 2 nor Alternative 3 would be expected to impede recovery of any of the federal ESA- or state-listed wildlife species. The USFWS lists the following threatened and/or endangered species and/or their critical habitat within the affected area: bull trout, grizzly bear, Spalding's campion, Canada lynx, red knot, yellow-billed cuckoo, wolverine, meltwater lednian stonefly, and whitebark pine.

The act of designating a species as a *species of concern* or a *threatened* or *endangered* species, and the act of de-listing such species, constitute prior actions subject to cumulative impacts analysis pursuant to MEPA and as it relates to the proposed action. Species of concern are plants and animals that are rare, threatened, and/or have declining populations and as a result are at risk or potentially at risk of extirpation in Montana. Approximately 20 Montana fish and wildlife *species of concern* have been documented using the property, have the potential to use habitat located on the property, or occupy immediately adjacent waters (**Table 6**). (Montana Natural Heritage Program [MTNHP] data, 26 February 2024).

**Table 6. Montana Fish and Wildlife Species of Concern and ESA-Listed Threatened Species with Potential Habitat in or Near the Project Area**

Common Name	Scientific Name	Common Name	Scientific Name
Mammals		Lewis's Woodpecker	<i>Melanerpes lewis</i>
Grizzly Bear	<i>Ursus arctos</i>	Pacific Wren	<i>Troglodytes pacificus</i>
Little Brown Myotis	<i>Myotis lucifugus</i>	Pileated Woodpecker	<i>Dryocopus pileatus</i>
Long-legged Myotis	<i>Myotis volans</i>	Varied Thrush	<i>Ixoreus naevius</i>
Canada Lynx	<i>Lynx canadensis</i>		
Wolverine	<i>Gulo gulo</i>		
Birds		Fish	
Brewer's Sparrow	<i>Spizella breweri</i>	Bull Trout	<i>Salvelinus confluentus</i>
Brown Creeper	<i>Certhia americana</i>	Pygmy Whitefish	<i>Prosopium coulterii</i>
Cassin's Finch	<i>Haemorhous cassinii</i>	Westslope Cutthroat Trout	<i>Oncorhynchus clarkii lewisi</i>
Common Tern	<i>Sterna hirundo</i>	Invertebrates	
Evening Grosbeak	<i>Coccothraustes vespertinus</i>	Suckley Cuckoo Bumble Bee	<i>Bombus suckleyi</i>
Great Blue Heron	<i>Ardea herodias</i>	Oblique Ambersnail	<i>Oxyloma nuttallianum</i>

In addition to the afore mentioned species, five plant *species of concern* have been documented adjacent to the project area (**Table 7**). (Montana Natural Heritage Program [MTNHP] data, 26 February 2024).

**Table 7. Plant Species of Concern with Potential Habitat in or near the site**

Common Name	Scientific Name	Common Name	Scientific Name
Bristly Sedge	<i>Carex comosa</i>	Straightbeak Buttercup	<i>Ranunculus orthorhynchus</i>
Panic Grass	<i>Dichanthelium acuminatum</i>	Columbia Water-meal	<i>Wolffia columbiana</i>
Howell's Quillwort	<i>Isoetes howellii</i>		

Also, pursuant to Section 7 and 10 of the federal ESA, because several wildlife species that locate within or potentially use the affected area for part of their life cycle are listed as *threatened* or *endangered*, a Biological Assessment is required for project approval.

In April 2022 MDT issued a Biological Assessment of the proposed Flathead River—3 M NW Big Fork (BR 82-1(5)5; UPN 6850000) project (bridge replacement, including FAS). On October 26, 2022, the USFWS published a Biological Opinion regarding the effects of the proposed project. The biological assessment analyzed the effects of the action on the federally *threatened* bull trout (*Salvelinus confluentus*) and bull trout critical habitat, grizzly bear (*Ursus arctos horribilis*), and yellow-billed cuckoo (*Coccyzus americanus*). The FHWAmade a determination of *may affect*, *likely to adversely affect* for bull trout and bull trout critical habitat, and *may affect, not likely to adversely affect* determination(s) for grizzly bear and yellow-billed cuckoo.

The implementing regulations for section 7 define cumulative effects as “...those effects of future State or private activities, not involving Federal activities that are reasonably certain to occur within the action area of the Federal action subject to consultation.” (50 CFR 402.02). Future Federal actions that are unrelated to the proposed action are not considered in this section because they require separate consultation pursuant to section 7 of the Act. It is important to note the section 7 definition (related to the Act) is not the same as the definition of “cumulative effects” under MEPA or the National Environmental Policy Act (NEPA).

The Sportsman’s Bridge FAS, whose reconstruction or replacement is included as part of the proposed project, provides fishing and other recreational access to the Flathead River. The reconstructed or replaced FAS will provide for greater fishing access due to the provision of additional parking. As a result, the proposed project will likely provide for increased angling, and potentially increased bull trout harvest. Angler harvest and poaching has been identified as one reason for bull trout decline (U.S. Fish and Wildlife Service 2002b). In addition, misidentification of bull trout has been a concern because of the similarity of appearance with brook trout. Although harvest of bull trout is illegal, incidental catch does occur and the fate of the released bull trout is unknown, but some level of hooking mortality is likely due to the associated stress and handling of the release (Long 1997).

The harvest of bull trout, either unintentionally or illegally, could have a direct effect on the local resident bull trout population and possibly the migratory fluvial component of bull trout populations in Montana. The extent of the effect would be dependent on the amount of increased recreational fishing pressure, which is a function of the increased number of fishermen utilizing the fish resources each season. Illegal poaching is difficult to quantify, but generally increases in likelihood as the human population in the vicinity grows (Ross 1997).

After reviewing the current status of bull trout, the environmental baseline for the action area, the effects of the proposed action, and the cumulative effects, it is the Service’s biological opinion that the action as proposed, is ***not likely to jeopardize the continued existence*** of bull trout. This conclusion is based on the magnitude of the project effects (to reproduction, distribution, and abundance) in relation to the listed population. Implementing regulations for section 7 (50 CFR 402) defines “jeopardize the continued existence of” as “to engage in an action that reasonably would be expected, directly or indirectly, to reduce appreciably the likelihood of both the survival and recovery of a listed species in the wild by reducing the reproduction, numbers, or distribution of that species.”

Jeopardy determinations for bull trout are made at the scale of the listed entity, which is the coterminous United States population (64 FR 58910). This follows the April 20, 2006, analytical framework guidance described in the Service’s memorandum to Ecological Services Project Leaders in Idaho, Oregon and Washington from the Assistant Regional Director – Ecological Services, Region 1 (USDI 2006). The guidance indicates that a biological opinion should concisely discuss all the effects and take into account how those effects are likely to influence the survival and recovery functions of the affected interim recovery unit(s), which should be the basis for determining if the proposed action is “likely to appreciably reduce both survival and recovery of the coterminous United States population of bull trout in the wild.”

The approach to the jeopardy analysis in relation to the proposed action (bridge replacement, including FAS) follows a hierarchal relationship between units of analysis (i.e., geographical subdivisions) that characterize effects at the lowest unit or scale of analysis (the local population) toward the highest unit or scale of analysis (the Columbia Headwaters Recovery Unit). The hierarchal relationship between units of analysis (local population, core areas) is used to determine whether the proposed action is likely to jeopardize the survival and recovery of bull trout. As mentioned previously, should the adverse effects of the proposed action not rise to the level where it appreciably reduces both survival and recovery of the species at a lower scale, such as the local or core population, the proposed action could not jeopardize bull trout in the coterminous United States (i.e., rangewide). Therefore, the determination will result in a no-jeopardy finding. However, should a proposed action cause adverse effects that are determined to appreciably reduce both survival and recovery of the species at a lower scale of analysis (i.e., local population), then further analysis is warranted at the next higher scale (i.e., core area).

The USFWS conclusion is based on the magnitude of the project effects in relation to the Flathead Lake core area bull trout population. Their rationale for this no jeopardy conclusion is based on the following:

- Minimization measures employed by the FHWA, MDT, and FWP during implementation of the proposed action are likely to be effective in reducing sediment generated during instream activities.
- Sediment increases as a result of the proposed action are limited in scale and are not anticipated to persist for more than one year after construction.
- The implementation of the proposed action is not anticipated to reduce the reproduction, numbers, or distribution of bull trout within the Flathead River core area or action area to the degree that survival or recovery is reduced because:
  - The action area does not provide spawning and rearing habitat, and thus, the proposed action would not affect bull trout spawning.
  - The action area provides foraging, migration, and overwintering habitat for bull trout, and bull trout are more likely to migrate at night. The proposed action will not pile drive at night (9:00 pm to 6:00 am) nor will in-stream activities necessary for the modification or development of a new FAS occur at night, allowing for adult and juvenile bull trout to migrate through the project area, when they are more likely to do so.
  - The proposed action will intermittently ensconce a small portion of the Flathead River, while allowing for nighttime (9:00 PM – 6:00 AM) movement through the corridor. According to FWP's anticipated contract for services, construction operations below the high-water mark will be prohibited between 9:00pm and 6:00am.

As a result, the USFWS concludes that implementation of this project, including the FAS, is ***not likely to appreciably reduce survival, recovery, or the continued existence*** of bull trout at the scale of the Columbia Headwaters Recovery Unit, and by extension, the coterminous United States Population of bull trout.

For the purposes of wildlife species listed as *threatened* or *endangered* under the federal ESA, MEPA considers a "take" to constitute a significant adverse impact. Specific to the *threatened* or *endangered* bull trout, grizzly bear, Spalding's champion, Canada lynx, red knot, yellow-billed cuckoo, wolverine, and meltwater lednian stonefly, the ESA defines "take" as follows: to harass, harm, pursue, hunt, shoot, wound, kill, trap, capture, or collect or to attempt to engage in any such conduct. 16 U.S.C. 1542(b). The term *harm* in the definition of 'take' means an act which actually kills or injures wildlife. Such an act may include *significant habitat modification or degradation* where it actually kills or injures wildlife by significantly impairing essential behavior patterns, including breeding, feeding, or sheltering." 50 C.F.R. § 17.3.

To find that habitat modification, such as that proposed under Alternative 2 or Alternative 3, constitutes a taking of listed species under the federal definition of *harm*, all aspects of the *harm* definition must be triggered. Therefore, for the purposes of Alternative 2, the proposed project, or Alternative 3, the following conditions must all be met for a *taking* or a *significant adverse impact* to occur to the ESA-listed *threatened* or *endangered* bull trout, grizzly bear, Spalding's champion, Canada lynx, red knot, yellow-billed cuckoo, wolverine, and meltwater lednian stonefly (USFWS, FWS/AES/067974, April 26, 2018):

- Is the modification of habitat significant? No. Both Alternative 2 and/or Alternative 3 would be planned and implemented in response to MDT's functional replacement of the existing Highway 82 Sportsman's Bridge per 23 CFR 710.509. More specifically, in response to MDT's bridge replacement project, MDT would be obligated to either facilitate modifications to the existing FAS (Alternative 3) or acquire, in FWP's name, approximately 18.22 acres of land on the west side of Sportsman's Bridge for FWP to develop a new Sportsman's Bridge FAS (Alternative 2).

If Alternative 2, the proposed project, is implemented, approximately 6 acres of existing alfalfa, and/or historical agricultural production, would be displaced or lost. However, as detailed in Section XI.B.5 below,

of the 18.22-acre property replacement, approximately 6 acres of alfalfa would be eliminated from agricultural production to accommodate development of the proposed new west side FAS. The remaining acreage would either continue to be used for agricultural purposes or would be reclaimed by FWP to more natural vegetation. In either case, the proposed project would impact a small fraction of existing agricultural production in the affected area. Further, any wildlife species displaced from the affected site(s), including any listed species, would likely re-locate, temporarily or long-term, to other nearby and suitable habitats.

If Alternative 3 is implemented, FWP must obtain an easement for a new access road to the existing FAS from the affected HOA and otherwise modify certain infrastructure present at existing FAS to meet right-of-way requirements for the new bridge. The new access road to the existing FAS would necessarily cross an existing wetland, which would adversely impact the affected wetland habitat and any aquatic and terrestrial wildlife that locate or may use the affected wetland habitat.

Both Alternative 2 and Alternative 3 would be expected to result in cumulative impacts to the affected area; however, because both alternatives would occur in an area historically and currently used for travel and recreational purposes (i.e., existing highway 82 Sportsman's Bridge and FAS), any adverse impacts to the identified listed-species and their respective habitats would be short-term (construction phase) and long-term (ongoing public access, FAS) consistent with existing impacts, and negligible to minor.

- If so, does that modification also significantly impair an essential behavior pattern of an ESA-listed species? No. Neither Alternative 2 nor Alternative 3 would significantly and adversely impact the habitat(s) of the affected ESA-listed *threatened* or *endangered* species (see above). The proposed projects would take place within or adjacent to the existing Highway 82 corridor, which, by design, currently and historically has experienced a high level of human use for travel and recreational purposes. Further, any adverse impacts from replacement of the existing Highway 82 Sportsman's Bridge (MDT) and the replacement or modification of the existing Sportsman's Bridge FAS (FWP) would be consistent with impacts that have been realized since initial development of the existing bridge and FAS. Therefore, because the affected area is currently, and would continue to experience a high-level of human use, the affected ESA-listed *threatened* species would be unlikely to change their use of the affected area following completion of the proposed project(s). Therefore, no adverse cumulative impacts to the behavioral patterns of any of the affected ESA-listed species would be expected because of Alternative 2 or Alternative 3.
- If so, is the significant modification of the habitat, with a significant impairment of an essential behavior pattern, likely to result in the actual killing or injury of wildlife? No. Neither Alternative 2 nor Alternative 3 would be expected to result in a significant modification of existing habitat, would not be expected to significantly impair an essential behavior pattern, and thus would not be expected to actually kill or injure any of the affected ESA-listed *threatened* species.

Similar to conclusions made for the ESA-listed species, as detailed above and further evaluated in Sections XI.A.8 (Alternative 2) and XII.A.8 (Alternative 3), because the area affected by Alternative 2 and/or Alternative 3 currently experience, and would continue to experience a high-level of human use, affected ESA-delisted species and state-listed *species of concern* would be unlikely to change their use of the affected area following completion of Alternative 2 or Alternative 3. Further, any ESA-delisted species or state-listed *species of concern* that use the affected area for part of their life cycle would be expected to experience the same or similar impacts pre- and post-project. Therefore, no significant adverse cumulative impacts to any of the identified ESA-listed *threatened* species, ESA-delisted species, or state-listed *species of concern* that use or may use the affected area would be expected because neither alternative would be expected to impede recovery of the affected species.

Further, several guiding documents inform, have informed, and will continue to inform actions at FAS' and other recreational sites across Montana, including the proposed new (Alternative 2) or modified (Alternative 3) Sportsman's Bridge FAS. These guiding documents outline strategies and considerations for taking management

action and addressing any potential impacts (adverse or beneficial) from such management actions. These guiding documents, and affected regulatory entities, include the following:

- FWP – Enhancing Montana’s Outdoor Recreation Legacy – 2020-2024 Statewide Comprehensive Outdoor Recreation Plan. This plan provides a strategic framework for identifying trends, issues and challenges facing the states outdoor recreation and natural resources and offers recommendations for outdoor recreation priorities across the state.
- FWP – Montana FWP Noxious Weed Management Plan. This plan requires FWP to monitor and control the spread of noxious weeds at is properties.
- USFWS – Endangered Species Act (federal *threatened* species)
- Montana Natural Heritage Program (state-listed *species of concern*)
- Section 212 of MDT’s Standards for Road and Bridge Construction Book
- Statewide Fisheries Management Plan

Both Alternative 2, the proposed project, and Alternative 3 would be conducted according to guidance and requirements provided by the documents and affected agencies listed above. These guiding documents and oversight from affected agencies would ensure the project is conducted in a manner that is consistent with similar past, present, and future actions at the modified existing (Alternative 3) or new Sportsman’s Bridge FAS (Alternative 2) and would thereby limit the potential for any significant adverse cumulative impacts to the affected human environment. Therefore, FWP expects any adverse or beneficial cumulative impacts associated with Alternative 2, the proposed project, or Alternative 3, would be short- and long-term, consistent with existing impacts, mitigated by best practices outlined by the documents cited above, and negligible to minor.

FWP is unaware of any other past, present, or future *related* projects occurring within, or in the vicinity of, the existing and new Flathead River Bridge. Any unknown future projects and associated cumulative impacts to the affected human environment would be assessed on a case-by-case basis pursuant to MEPA and other affected public processes and regulatory mechanisms, as applicable, prior to project approval and implementation.

## **X. 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 or human environment 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.

In response to MDT’s proposed replacement of the existing Highway 82 Flathead River Bridge, FWP’s existing Sportsman’s Bridge FAS would be decommissioned and removed without developing and establishing a new FAS in the affected area or modifying the existing FAS to accommodate for FWP’s loss of the existing Sportsman’s Bridge FAS. The existing Sportsman’s Bridge FAS was established in 1959 and accommodates seasonally high use as a recreational access point for both the upper Flathead River and to Flathead Lake. Under the No Action alternative, recreational opportunities at the affected site would no longer be available to the public. Recreational boating, angling and hunting access to the north end of Flathead Lake and Flathead River above the lake would be substantially diminished. Other lake and river access sites nearby are currently operating at or above capacity and would be adversely impacted by increased pressure if access was no longer available at Flathead River Bridge. Commercial interests, such as local businesses that offer guiding and watercraft rental services would be adversely impacted by the loss of access in the affected area.

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

## A. Evaluation and Summary of Potential Impacts on the Physical Environment

### 1. Terrestrial, Avian, and Aquatic Life and Habitats

#### **Existing Environment/Baseline Conditions (No Action Alternative):**

The affected area and associated wildlife habitat are predominantly Rocky Mountain Dry-Mesic Montane Mixed Conifer Forest with riparian habitat associated with the Flathead River. A broad array of terrestrial and avian animals may utilize habitats in and around the proposed new Sportsman's Bridge FAS either continuously or sporadically. Fish and amphibians would also be expected to use the affected area, specifically, the Flathead River and nearby Flathead Lake.

Among the plant species confirmed, suspected, or possibly found in the affected area, 5 species are listed by the state of Montana as *species of concern* (**Table 7**). Approximately 20 Montana fish and wildlife *species of concern* have been documented using the property, have potential habitat on the property, or occupy immediately adjacent waters including westslope cutthroat trout, bull trout, and lands including little brown bat, pileated woodpecker, varied thrush and oblique ambersnail (**Table 6**). (Montana Natural Heritage Program [MTNHP] data, 26 February 2024).

Furthermore, ESA listed bull trout, grizzly bear, Spalding's campion, Canada lynx, red knot, yellow-billed cuckoo, wolverine, and meltwater lednian stonefly and ESA-delisted bald eagles may potentially use the affected area. Impacts to the identified *threatened* species, *species of concern*, and *species of special concern* are evaluated more thoroughly in *part 8, Unique, Endangered, Fragile or Limited Environmental Resources*, of this Impacts Analysis and above in *Section IX, Cumulative Impacts Analysis*. For additional information related to the affected environment see *Section VII, General Setting of the Affected Environment*.

#### **Direct Impacts:**

No significant adverse direct impacts to terrestrial, avian, and aquatic life and habitats would be expected because of the proposed project. However, some direct impacts from deconstruction activities associated with closure and removal of the existing Sportsman's Bridge FAS infrastructure and construction and development of the proposed new Sportsman's Bridge FAS may occur. More specifically, the use of heavy equipment and vehicles for such activities may temporarily displace or cause certain wildlife species to avoid the affected areas while the deconstruction and/or construction activities are occurring. However, because the affected area represents and supports the purpose of an existing recreational resource and is located adjacent to Highway 82 and the associated Highway 82 Flathead River Bridge, the presence of people, vehicles, and heavy equipment to implement Alternative 2, the proposed project, would be consistent with the current and historic use of the affected area and any associated impacts to the affected area and its residents and visitors. Direct impacts to aquatic species would be mitigated by limiting construction and deconstruction activities below the highwater mark to daylight hours.

Also, removal of the existing Sportsman's Bridge FAS infrastructure and development of the proposed new Sportsman's Bridge FAS would impact existing habitats located within the footprint of the proposed project site(s), where FAS infrastructure would be removed (existing FAS) and installed (proposed new

FAS). FWP would take care to maintain and manage existing natural vegetation and associated habitats located within the proposed new FAS to the degree practical and removal of the existing FAS and development of the new FAS would be guided by applicable best practices, thereby ensuring protection of existing on-site natural habitats to the extent practical. In addition, the site of the existing Sportsman's Bridge FAS would be reclaimed to natural vegetation thereby improving habitat in the affected area in the long-term (see Secondary Impacts, below).

Further, any wildlife species displaced from the affected site(s) would likely re-locate, temporarily or long-term, to other nearby and suitable habitats. The project area is not a spawning location for westslope cutthroat or bull trout. Any traveling or migrating westslope cutthroat trout and bull trout would likely alter travel and migration patterns to times when activity is not occurring or move elsewhere in the river to pass the site. The properties immediately surrounding the existing and proposed new Sportsman's Bridge FAS are generally privately owned and characterized as rural, with natural vegetation, including similar riparian environments to those of the affected site(s). Therefore, any adverse direct impacts would be short-term, negligible to minor, and consistent with existing and historic impacts.

#### **Secondary Impacts:**

No significant adverse secondary impacts to terrestrial, avian, and aquatic life and habitats would be expected because of the proposed project. However, some adverse secondary impacts from removal of the existing Sportsman's Bridge FAS and development of the proposed new Sportsman's Bridge FAS, and the associated potential for loss of habitat may adversely impact certain plant and wildlife species. The proposed project would also reclaim the site where the existing Sportsman's Bridge FAS is located to local natural vegetation per Section 212 of MDT's Standards for Road and Bridge Construction Book, which may beneficially offset the loss of existing habitats that would necessarily occur because of the proposed project.

All reclamation and development activities for the existing FAS and proposed new FAS, respectively, would be guided by applicable best practices outlined by the guidance documents identified in Section 212 of MDT's Standards for Road and Bridge Construction Book. This would ensure the preservation of local natural habitats in the affected area, to the extent practical, and offset certain adverse impacts associated with habitat loss necessary to accommodate all aspects of the proposed project. Further, any impacts from development and use of the proposed new FAS would be consistent with impacts already realized by from the existing FAS. Overall, with consideration for planned reclamation activities and future habitat improvements at the existing Sportsman's Bridge FAS site, any adverse secondary impacts from the proposed project would be long-term, negligible to minor, consistent with existing impacts, and mitigated by reclamation of the existing FAS site. Any beneficial secondary impacts would be long-term and negligible to minor.

#### **Cumulative Impacts:**

No significant adverse cumulative impacts would be expected because of the proposed project. However, under the proposed action, cumulative impacts would occur. Pursuant to MEPA, because FWP's proposed action is *related* to MDT's currently proposed Highway 82 Sportsman's Bridge replacement project and FWP's existing Sportsman's Bridge FAS project, as cited in *Section IX, Cumulative Impacts Analysis*, any cumulative impacts from FWP's proposed action must be considered in the context of these actions. With consideration for potential cumulative impacts from the proposed project, no significant adverse cumulative impacts would be expected. Any adverse cumulative impacts would be short-term and negligible to minor. Any beneficial cumulative impacts would be long-term and negligible to minor.

Any currently unknown future projects and associated cumulative impacts to the affected human environment would be assessed on a case-by-case basis pursuant to MEPA and other affected public processes and regulatory mechanisms, as applicable, prior to project approval and implementation. For a more detailed discussion of potential cumulative impacts associated with the proposed project see *Section IX, Cumulative Impacts Analysis*.

## 2. Water Quality, Quantity, and Distribution

### **Existing Environment/Baseline Conditions (No Action Alternative):**

The Flathead River flows directly past the existing Sportsman's Bridge FAS and the site of the proposed new Sportsman's Bridge FAS. The existing and the proposed new FAS's are located approximately 2 miles north of the Flathead River confluence with Flathead Lake. Flathead Lake is the largest natural freshwater lake in the western US (by surface area) outside of Alaska. The upper Flathead River and Flathead Lake are described as *oligotrophic* which means lacking in plant nutrients, but monitoring at the Flathead Lake Biological Station or FLBS located in nearby Yellow Bay of Flathead Lake indicates that nutrient inputs to the lake are increasing.

Flathead Lake's biological community is much different today than when the existing Sportsman's Bridge FAS was developed in 1959. Flathead Lake originally supported 11 native fish species, most notably westslope cutthroat trout and bull trout. Today, the fish community is more like the Great Lakes than rocky mountain lakes, as it is dominated by nonnatives, particularly lake trout and lake whitefish. Decreases in water quality have led federal and state agencies to classify Flathead Lake as "Impaired" due to human caused increases in nutrient and sediments, and to work on creating a long-term plan for water quality protection.

- Water distribution infrastructure on the property includes a pumphouse located on the southeast edge of the property along the river with distribution lines running west underground to the neighboring property (parcel 4). Under Alternative 2, the proposed project, the easement to the water distribution system and associated water right would be retained by the private owner and FWP will construct a security fence around the pumphouse.
  - . For additional information related to the affected environment see *Section VII, General Setting of the Affected Environment*.

### **Direct Impacts:**

No significant adverse direct impacts to water quality, quantity, and distribution would be expected because of the proposed project. However, some temporary, adverse direct impacts from the potential use of water to mitigate fugitive dust emissions resulting from the movement of vehicles and heavy equipment over exposed ground, as necessary to deconstruct the existing Sportsman's Bridge FAS and construct the proposed new Sportsman's Bridge FAS, may occur. Water from the Flathead River would likely be sourced for such purposes; therefore, some adverse impacts to water quantity and distribution in the affected area may be realized. However, the amount of water necessary for such mitigation practices would be limited by the relatively small footprint and short-term nature of the deconstruction and construction phase of the proposed project. Therefore, any impacts to water quantity and distribution would be short-term and negligible.

Further, increased water turbidity caused by construction and development activities conducted in or near the adjacent upper Flathead River may occur. Prior to implementation, FWP would obtain all permits and other authorizations required by the Federal and Montana Clean Water Act(s), which would require mitigation of such impacts. More specifically, the proposed project would likely require the multiple permits (124, 318, and 404) and other authorizations to mitigate potential impacts to water quality from the proposed project. Therefore, any direct impacts to water quality would be short-term,

lasting only as long as the deconstruction and construction period(s) for the proposed project, minor, consistent with existing impacts, and mitigated by the listed permits and authorizations.

**Secondary Impacts:**

No significant adverse secondary impacts to water quality, quantity, and distribution would be expected because of the proposed project. In fact, no secondary impacts to water quantity or distribution would be expected because neither the existing nor proposed new FAS require the use of water. However, some adverse secondary impacts to water quality from human use of the proposed new Sportsman's Bridge FAS may occur. More specifically, the launching and landing of motorized boats and other motorized and non-motorized watercraft at/from the proposed new multi-lane boat ramp at the new Sportsman's Bridge FAS may increase water turbidity in the affected area. Importantly, closure and reclamation of the existing Sportsman's Bridge FAS would eliminate such impacts from the existing FAS and thereby offset such impacts from the proposed new FAS. Any adverse secondary impacts from recreational use of the new Sportsman's Bridge FAS would be long-term, negligible to minor, and offset by the expected beneficial impacts associated with closure and reclamation of the existing Sportsman's Bridge FAS.

Closure and reclamation of the existing Sportsman's Bridge FAS site would establish more natural shoreline conditions in the affected area. By establishing more natural conditions, the improved, stabilized shoreline would be expected to reduce sediment load to the Flathead River and downstream Flathead Lake and ultimately limit water turbidity in the affected area thereby benefiting water quality. Further, the proposed new Sportsman's Bridge FAS would be developed to limit the occurrence of sediment load to the lake occurring from the potential for shoreline erosion. However, some adverse impacts may be realized by development of the shoreline to accommodate the proposed new multi-lane boat ramp at the proposed new Sportsman's Bridge FAS. Any adverse impacts would be long-term, minor to moderate, offset by beneficial impacts resulting from closure and reclamation of the existing Sportsman's Bridge FAS, and consistent with existing impacts in the affected area.

**Cumulative Impacts:**

No significant adverse cumulative impacts would be expected because of the proposed project. However, under the proposed action, cumulative impacts would occur. Pursuant to MEPA, because FWP's proposed action is *related* to MDT's currently proposed Highway 82 Sportsman's Bridge replacement project and FWP's existing Sportsman's Bridge FAS project, as cited in *Section IX, Cumulative Impacts Analysis*, any cumulative impacts from FWP's proposed action must be considered in the context of these actions. With consideration for potential cumulative impacts from the proposed project, no significant adverse cumulative impacts would be expected. Any adverse cumulative impacts would be short-term and negligible to minor. Any beneficial cumulative impacts would be long-term and negligible to minor.

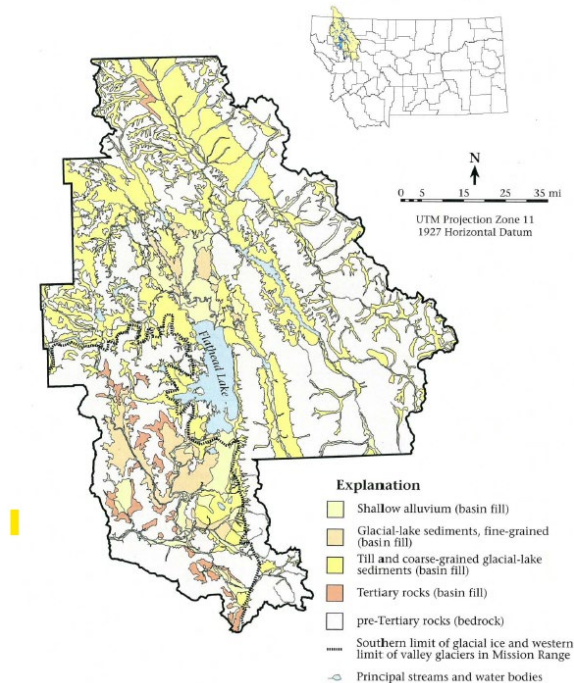
Any currently unknown future projects and associated cumulative impacts to the affected human environment would be assessed on a case-by-case basis pursuant to MEPA and other affected public processes and regulatory mechanisms, as applicable, prior to project approval and implementation. For a more detailed discussion of potential cumulative impacts associated with the proposed project see *Section IX, Cumulative Impacts Analysis*.

### 3. Geology

**Existing Environment/Baseline Conditions (No Action Alternative):**

The proposed location lays in the Flathead Lake basin which is characterized by north-trending mountain ranges separated by down-dropped intermontane valleys. Metasedimentary rocks of the Belt Supergroup form the mountains and underlie the valleys. The intermontane valleys are filled with thick

sequences of Tertiary sediments, unconsolidated glacial or glacial-lake deposits and post-glacial alluvial sediments. Since the retreat of glacial ice, modern streams have deposited alluvium along their channels and floodplains. Most stream valleys in the area are lined with alluvial materials that range from 10 to several 10's of feet in thickness. See below geological map categorizing the area as shallow alluvium. (LaFave et al (2004)). For additional information related to the affected environment see *Section VII, General Setting of the Affected Environment*.



Reproduced from LaFave et al. (2004).

Figure 2. Geologic map of the Flathead Lake Basin.

**Figure 7. Flathead Lake basin**

#### **Direct Impacts:**

No significant adverse direct impacts to geology would be expected because of the proposed project. No unique or important geologic features exist within the existing Sportsman's Bridge FAS site or the proposed new Sportsman's Bridge FAS site. Deconstruction, removal, and reclamation activities at the existing Sportsman's Bridge FAS site would not result in any new impacts to existing geology. Further, the proposed new Sportsman's Bridge FAS site would be developed in a previously disturbed area currently and historically used for agricultural purposes. Therefore, no impacts to geology would be expected because of the proposed project.

#### **Secondary Impacts:**

No significant adverse secondary impacts to geology would be expected because of the proposed project. Removal of the existing FAS and development of the new FAS would require removal of existing, and development of new, FAS infrastructure including boat ramps, parking lots, latrines, and other FAS infrastructure. Removal and development of such infrastructure would require ground disturbance and the potential to adversely impact geologic features located within the affected sites. However, no unique or important geologic features exist within the existing Sportsman's Bridge FAS site or the proposed new Sportsman's Bridge FAS site. Therefore, no secondary impacts to geology in the affected area would be expected because of the proposed project.

#### **Cumulative Impacts:**

No significant adverse cumulative impacts would be expected because of the proposed project. However, under the proposed action, cumulative impacts would occur. Pursuant to MEPA, because

FWP's proposed action is *related* to MDT's currently proposed Highway 82 Sportsman's Bridge replacement project and FWP's existing Sportsman's Bridge FAS project, as cited in *Section IX, Cumulative Impacts Analysis*, any cumulative impacts from FWP's proposed action must be considered in the context of these actions. With consideration for potential cumulative impacts from the proposed project, no significant adverse cumulative impacts would be expected. Any adverse cumulative impacts would be short-term and negligible to minor. Any beneficial cumulative impacts would be long-term and negligible to minor.

Any currently unknown future projects and associated cumulative impacts to the affected human environment would be assessed on a case-by-case basis pursuant to MEPA and other affected public processes and regulatory mechanisms, as applicable, prior to project approval and implementation. For a more detailed discussion of potential cumulative impacts associated with the proposed project see *Section IX, Cumulative Impacts Analysis*.

#### 4. Soil Quality, Stability, and Moisture

##### **Existing Environment/Baseline Conditions (No Action Alternative):**

The proposed site is located in close proximity to the USDA Flathead Soils Series location SW of NW Sec. 20, T. 29 N., R. 20 W. USDA Flathead series consists of deep, well drained soils that formed in glacial outwash or alluvium. Flathead soils are used mainly as cropland. Potential native vegetation is mainly bluebunch wheatgrass, needle and thread, rough fescue, and fringed sagewort. The Flathead soils are on fans and terraces. Elevations are 2,600 to 3,400 feet. Slopes are 0 to 25 percent. These soils formed in outwash and alluvium. Taxonomic class of Coarse-loamy, mixed, superactive, frigid Pachic Haplustolls.

The climate is characterized by long, cold winters, moist springs and falls, and warm summers. Mean annual precipitation is 15 to 19 inches. Mean annual temperature is 40 to 45 degrees F. The frost-free period is 100 to 120 days.

Soils 0 to 24 inches described as very dark grayish brown (10YR 3/2) fine sandy loam, very dark brown (10YR 2/2) moist; moderate fine granular structure in the upper part grading to weak coarse prismatic in the lower part; soft, very friable, nonsticky and nonplastic; many fine roots, few fine pores; neutral (pH 7.2); clear smooth boundary. (16 to 30 inches thick)

Soils 24 to 34 inches; brown (7.5YR 4/2) fine sandy loam; dark brown (7.5YR 3/2) moist; weak coarse prismatic structure parting to weak medium subangular blocky; soft, very friable, nonsticky and nonplastic; many fine roots, few medium pores; neutral (pH 7.2); gradual smooth boundary. (8 to 12 inches thick)

Soils 34 to 44 inches; pale brown (10YR 6/3) loamy fine sand, brown (10YR 4/3) moist; weak coarse subangular blocky structure; soft, very friable, nonsticky and nonplastic; slightly alkaline (pH 7.4); clear smooth boundary. (6 to 10 inches thick)

Soils 44 to 60 inches; pale brown (10YR 6/3) loamy fine sand, brown (10YR 5/3) moist; single grained; soft, very friable, nonsticky and nonplastic; common fine soft masses of lime; strongly effervescent; moderately alkaline (pH 8.2).

For additional information related to the affected environment see *Section VII, General Setting of the Affected Environment*.

**Direct Impacts:**

No significant adverse direct impacts to soil quality, stability, and moisture would be expected because of the proposed project. However, some construction activities would directly and adversely impact soils in the affected area due to soil compaction. Construction activities associated with the proposed project would have long-term, minor, adverse direct impacts to existing vegetation by disturbing the area to accommodate the proposed project. Any such adverse impacts would be both short and long-term, minor, and consistent with impacts from construction of infrastructure similar to the existing Sportsman's Bridge FAS.

**Secondary Impacts:**

No significant adverse secondary impacts to soil quality, stability, and moisture would be expected because of the proposed project. Soil moisture content in the affected area would be reduced by the necessary conversion of the existing alfalfa field to a compacted gravel surface to accommodate the proposed vehicle-boat trailer combination parking area, access road, vault latrine, and boat ramp. Soil stability would also be affected. Compaction of soils to accommodate the proposed FAS amenities would be necessary for only a small percentage of the overall footprint of the affected 17.8-acre site and the remainder of the affected site would remain intact. Therefore, any adverse secondary impacts would be long-term and negligible to minor.

**Cumulative Impacts:**

No significant adverse cumulative impacts would be expected because of the proposed project. However, under the proposed action, cumulative impacts would occur. Pursuant to MEPA, because FWP's proposed action is *related* to MDT's currently proposed Highway 82 Sportsman's Bridge replacement project and FWP's existing Sportsman's Bridge FAS project, as cited in *Section IX, Cumulative Impacts Analysis*, any cumulative impacts from FWP's proposed action must be considered in the context of these actions. With consideration for potential cumulative impacts from the proposed project, no significant adverse cumulative impacts would be expected. Any adverse cumulative impacts would be short-term and negligible to minor. Any beneficial cumulative impacts would be long-term and negligible to minor.

Any currently unknown future projects and associated cumulative impacts to the affected human environment would be assessed on a case-by-case basis pursuant to MEPA and other affected public processes and regulatory mechanisms, as applicable, prior to project approval and implementation. For a more detailed discussion of potential cumulative impacts associated with the proposed project see *Section IX, Cumulative Impacts Analysis*.

## 5. Vegetation Cover, Quantity, and Quality

**Existing Environment/Baseline Conditions (No Action Alternative):**

The affected area is predominantly a cultivated field currently in alfalfa/grass hay production with a cut bank directly adjacent to the Flathead River. There is little to no brush or tree cover on the parcel. For additional information related to the affected environment see *Section VII, General Setting of the Affected Environment*.

**Direct Impacts:**

No significant adverse direct impacts to vegetation cover, quantity, and quality would be expected because of the proposed project. Construction activities associated with the proposed project would have long-term, minor, adverse direct impacts to existing vegetation (alfalfa) by disturbing the area to accommodate the proposed project. More specifically, removal of existing vegetation would be necessary to accommodate the proposed vehicle-boat trailer combination parking area, access road, vault latrine, and boat ramp. However, removal of existing vegetation to accommodate the proposed

FAS amenities would be necessary for only a small percentage of the overall footprint of the affected 17.8-acre site and the remainder of the affected site would remain intact. Therefore, any adverse direct impacts would be short- and long-term and minor.

**Secondary Impacts:**

No significant adverse secondary impacts to vegetation cover, quantity, and quality would be expected because of the proposed project. Removal of existing vegetation would be necessary to accommodate the proposed vehicle-boat trailer combination parking area, latrine, access road, and boat ramp. All areas disturbed to accommodate the proposed project would be replanted with native vegetation. Disturbed areas would be subject to increased risk of invasion by noxious weeds. Those areas would be monitored and treated by FWP staff in accordance with FWP's Statewide Integrated Noxious Weed Management Plan. Therefore, any adverse secondary impacts would be long-term and minor.

**Cumulative Impacts:**

No significant adverse cumulative impacts would be expected because of the proposed project. However, under the proposed action, cumulative impacts would occur. Pursuant to MEPA, because FWP's proposed action is *related* to MDT's currently proposed Highway 82 Sportsman's Bridge replacement project and FWP's existing Sportsman's Bridge FAS project, as cited in *Section IX, Cumulative Impacts Analysis*, any cumulative impacts from FWP's proposed action must be considered in the context of these actions. With consideration for potential cumulative impacts from the proposed project, no significant adverse cumulative impacts would be expected. Any adverse cumulative impacts would be short-term and negligible to minor. Any beneficial cumulative impacts would be long-term and negligible to minor.

Any currently unknown future projects and associated cumulative impacts to the affected human environment would be assessed on a case-by-case basis pursuant to MEPA and other affected public processes and regulatory mechanisms, as applicable, prior to project approval and implementation. For a more detailed discussion of potential cumulative impacts associated with the proposed project see *Section IX, Cumulative Impacts Analysis*.

## 6. Aesthetics

**Existing Environment/Baseline Conditions (No Action Alternative):**

The existing Sportsman's Bridge FAS sits on a six-acre property and had been developed for recreational use with an access road, parking area, boat launches, vault latrine and regulatory signs. The developed area occupies about three acres of the property. The other three acres remain undeveloped open space with trees and wetlands throughout. The property proposed for acquisition by MDT and development is a flat, 18.22-acre agricultural field currently in alfalfa/grass hay production adjacent to the Flathead River. The property currently has no trees with some brushy vegetation along the riverbank. It is bordered by a gravel county road (Oldenburg Road) to the west, Highway 82 and the HWY 82 Flathead River Bridge to the north and an undeveloped private lot to the south. For additional information related to the affected environment see *Section VII, General Setting of the Affected Environment*.

**Direct Impacts:**

No significant adverse direct impacts to aesthetics would be expected because of the proposed project. Some adverse direct impacts may result from the replacement of an undeveloped cultivated field with a developed FAS. Infrastructure such as roads, parking areas, latrine, and signs would be visible on the site which has no vegetative screening to hide those features. This impact would be limited to approximately 6 acres of the 18.22-acre property and the remaining area would remain undeveloped

open space. Natural vegetative screening will be planted along with the addition of berms from surplus topsoil to limit visibility by adjacent landowners. Therefore, any adverse direct impacts would be long-term and minor.

**Secondary Impacts:**

No significant adverse secondary impacts to aesthetics would be expected because of the proposed project. The proposed project would develop recreational infrastructure to facilitate use of the site. People using the new site and their vehicles would be visible from the highway and neighboring properties. Natural vegetative screening would be planted to limit visibility by adjacent landowners. Further, because the existing Sportsman's Bridge FAS (east side) constitutes the same/similar land use as the proposed new FAS (west side), any aesthetic impacts would be consistent with existing impacts. Further, the site of the existing FAS would be reclaimed to natural vegetation, thereby offsetting any existing adverse aesthetic impacts associated with development of the new FAS site. Therefore, any adverse direct impacts would long-term, minor, consistent with existing impacts, and mitigated by reclamation of the former Sportsman's Bridge FAS site with natural vegetation.

**Cumulative Impacts:**

No significant adverse cumulative impacts would be expected because of the proposed project. However, under the proposed action, cumulative impacts would occur. Pursuant to MEPA, because FWP's proposed action is *related* to MDT's currently proposed Highway 82 Sportsman's Bridge replacement project and FWP's existing Sportsman's Bridge FAS project, as cited in *Section IX, Cumulative Impacts Analysis*, any cumulative impacts from FWP's proposed action must be considered in the context of these actions. With consideration for potential cumulative impacts from the proposed project, no significant adverse cumulative impacts would be expected. Any adverse cumulative impacts would be short-term and negligible to minor. Any beneficial cumulative impacts would be long-term and negligible to minor.

Any currently unknown future projects and associated cumulative impacts to the affected human environment would be assessed on a case-by-case basis pursuant to MEPA and other affected public processes and regulatory mechanisms, as applicable, prior to project approval and implementation. For a more detailed discussion of potential cumulative impacts associated with the proposed project see *Section IX, Cumulative Impacts Analysis*.

## 7. Air Quality

**Existing Environment/Baseline Conditions (No Action Alternative):**

According to the Montana Department of Environmental Quality (DEQ), air quality in the area affected by the proposed project is currently unclassifiable or in compliance with applicable national ambient air quality standards (NAAQS). No significant point-sources of air pollution exist in the area affected by the proposed project. Existing sources of air pollution in the area are limited and generally include fugitive dust associated with high wind events and exposed ground, vehicle travel on paved and unpaved roads (fugitive dust), vehicle exhaust emissions, and various agricultural practices (vehicle exhaust emissions and fugitive dust).

Four areas in the general vicinity of Flathead Lake have historically exceeded the NAAQS for particulate matter less than or equal to 10 microns in aerodynamic diameter (PM<sub>10</sub>) but have since attained the NAAQS under requirements contained in air quality maintenance plans required by Montana's Air Quality State Implementation Plan or SIP. These nearby PM<sub>10</sub> Maintenance Areas include the following: Whitefish, Columbia Falls, and Kalispell. In addition, the town of Polson is currently classified as a PM<sub>10</sub> nonattainment area. Therefore, Montana's SIP includes requirements applicable to sources of PM<sub>10</sub> located within or near (~ 2 km) the Polson PM<sub>10</sub> nonattainment area boundary. Because the proposed

project would not be located within or near the affected existing PM10 Maintenance Areas or the PM10 Nonattainment Area, no air quality restrictions currently exist for the area affected by the proposed project. For additional information related to the affected environment see *Section VII, General Setting of the Affected Environment*.

#### **Direct Impacts:**

No significant adverse direct impacts to air quality would be expected because of the proposed project. Air quality in the area affected by the proposed project is currently unclassifiable or in compliance with all applicable NAAQS. Therefore, no air quality restrictions currently exist for the area affected by the proposed project. Existing sources of air pollution in the area are limited and generally include fugitive dust associated with high wind events and exposed ground, vehicle travel on unpaved roads (fugitive dust), vehicle exhaust emissions, and various agricultural practices (vehicle exhaust emissions and fugitive dust).

The affected area represents and supports the purpose of an existing recreational resource and is located adjacent to Highway 82 and the associated Highway 82 Sportsman's Bridge over the upper Flathead River. Therefore, the presence of people recreating and vehicles traveling along Highway 82 and across the existing Sportsman's Bridge constitutes a regular occurrence and source of air quality pollutants (vehicle exhaust emissions and fugitive dust). Vehicles and heavy equipment would be used for deconstruction and removal of the existing Sportsman's Bridge FAS and construction and development of the proposed new Sportsman's Bridge FAS. Fugitive dust emissions would be generated during the deconstruction and construction phases of the proposed project due to heavy equipment travel/hauling over unpaved roads and any ground disturbance necessary to deconstruct or remove the existing Sportsman's Bridge FAS and to construct the proposed new Sportsman's Bridge FAS. Combustion of fossil fuels to operate vehicles and heavy equipment used to implement the proposed project would also generate vehicle exhaust emissions (primarily CO, PM<sub>2.5</sub>, and ground level O<sub>3</sub>). Because the affected site is located within the Highway 82 corridor adjacent to the existing Sportsman's Bridge any such adverse impacts would be consistent with existing and historic impacts to the affected area. Further, deconstruction and construction phases of the proposed project would be short-term, and the number of vehicles and heavy equipment needed to complete construction activities would be limited. Therefore, any adverse direct impacts to air quality would be short-term, negligible, consistent with existing impacts, and mitigated by dust control practices associated with the deconstruction and construction activities, as necessary. The proposed project would not be expected to cause or significantly contribute to a NAAQS violation in the currently unclassified area.

#### **Secondary Impacts:**

No significant adverse secondary impacts to air quality would be expected because of the proposed project. Following deconstruction and construction activities associated with the proposed project, ongoing adverse impacts to air quality may be realized from use of the proposed new Sportsman's Bridge FAS. Vehicles using the site could cause dusty conditions in the immediate area. FWP staff would monitor fugitive dust levels and may apply dust control measures if deemed appropriate. This impact would be short-term and may be partially mitigated by the use of dust control, as necessary. Therefore, any adverse secondary impacts to air quality would be short-term and minor.

#### **Cumulative Impacts:**

No significant adverse cumulative impacts would be expected because of the proposed project. However, under the proposed action, cumulative impacts would occur. Pursuant to MEPA, because FWP's proposed action is *related* to MDT's currently proposed Highway 82 Sportsman's Bridge replacement project and FWP's existing Sportsman's Bridge FAS project, as cited in *Section IX*,

*Cumulative Impacts Analysis*, any cumulative impacts from FWP’s proposed action must be considered in the context of these actions. With consideration for potential cumulative impacts from the proposed project, no significant adverse cumulative impacts would be expected. Any adverse cumulative impacts would be short-term and negligible to minor. Any beneficial cumulative impacts would be long-term and negligible to minor.

Any currently unknown future projects and associated cumulative impacts to the affected human environment would be assessed on a case-by-case basis pursuant to MEPA and other affected public processes and regulatory mechanisms, as applicable, prior to project approval and implementation. For a more detailed discussion of potential cumulative impacts associated with the proposed project see *Section IX, Cumulative Impacts Analysis*.

## 8. Unique, Endangered, Fragile, or Limited Environmental Resources

### **Existing Environment/Baseline Conditions (No Action Alternative):**

Among the plant species confirmed, suspected, or possibly found in the affected area, 5 species are listed by the state of Montana as *species of concern* (**Table 7**). Approximately 20 Montana fish and wildlife *Species of Concern* have been documented using the property, have potential habitat on the property or occupy immediately adjacent waters including westslope cutthroat trout, bull trout, and lands including little brown bat, pileated woodpecker, varied thrush and oblique ambersnail (**Table 6**). (Montana Natural Heritage Program [MTNHP] data, 26 February 2024). Furthermore, ESA listed bull trout, grizzly bear, Spalding's campion, Canada lynx, red knot, yellow-billed cuckoo, wolverine, and meltwater lednian stonefly, as well as ESA-delisted bald eagles may potentially use the affected area. For additional information related to the affected environment see *Section VII, General Setting of the Affected Environment*.

### **Direct Impacts:**

No significant adverse direct impacts to unique, endangered, fragile, or limited environmental resources would be expected because of the proposed project. The presence of any animal and/or plant species of concern, species of special status, species federally listed as *threatened* or *endangered*, or any lands classified as important or critical habitat located within or near the affected area were assessed through the Montana Natural Heritage Program and FHWA in consultation with the USFWS. As noted above under the section titled “Existing Environment/Baseline Conditions (No Action Alternative),” 20 wildlife *species of concern*, including five plant *species of concern* have been identified within or within the vicinity of the proposed site.

Also, in April 2022 MDT and FHWA issued a Biological Assessment for the proposed Flathead River—3 M NW Big Fork (BR 82-1(5)5; UPN 6850000) project (bridge replacement, including FAS). (Appendix A 5) Subsequently, on October 26, 2022, the USFWS published a Biological Opinion (Appendix A 6) regarding the effects of the proposed project. The biological assessment analyzed the effects of the proposed action (bridge replacement and FAS) on the federally *threatened* bull trout (*Salvelinus confluentus*) and bull trout critical habitat, grizzly bear (*Ursus arctos horribilis*), and yellow-billed cuckoo (*Coccyzus americanus*). The FHWA made a determination of *may affect, likely to adversely affect* for bull trout and bull trout critical habitat, and *may affect, not likely to adversely affect* determination(s) for grizzly bear and yellow-billed cuckoo. In their Biological Opinion issued on October 26, 2022, the USFWS concurred with FHWA’s determination that the proposed project *may affect, not likely to adversely affect* the threatened grizzly bear and yellow-billed cuckoo. Further, the USFWS concluded that implementation of

this project, including the FAS, is ***not likely to appreciably reduce survival, recovery, or the continued existence*** of bull trout locally, at the scale of the Columbia Headwaters Recovery Unit, and by extension, the coterminous United States Population of bull trout. FWP also concurs; therefore, any adverse secondary impacts to the affected ESA-listed species would be negligible to minor. The ESA-listed Spalding's campion, Canada lynx, red knot, wolverine, and meltwater lednian stonefly would not be expected to use the affected site or be impacted by the project.

Flathead Lake and the upper Flathead River are designated as critical habitat for Bull Trout. Critical Habitat is defined as:

- (1) The specific areas within the geographical area occupied by the species, at the time it was listed in accordance with the Act, on which are found those physical or biological features essential to the conservation of the species, and which may require special management considerations or protection.
- (2) The specific areas outside the geographical area occupied by the species at the time it is listed, upon a determination that such areas are essential for the conservation of the species.

In the US Fish and Wildlife Service rule published in the Federal Register on 1/14/2010, Critical habitat designation provides additional protection to habitat only where there is a federal nexus; (2) the protection is relevant only when, in the absence of designation, destruction or adverse modification of the critical habitat would in fact take place ... and (3) designation of critical habitat triggers the prohibition of destruction or adverse modification of that habitat, but it does not require specific actions to restore or improve habitat. Flathead Lake and Flathead River are located within the Columbia Headwaters unit and provide spawning, rearing, foraging, migratory, connecting, and overwintering habitat for bull trout.

Because the affected area has historically been used for human travel and recreational purposes any direct impacts to unique, endangered, fragile, or limited environmental resources or critical habitat located within or periodically using the affected area, including the identified species of concern, species of special concern, ESA-delisted, and ESA-listed species, would be consistent with current and historic impacts.

FWP would adhere to all applicable requirements related to management, preservation, and recovery of listed species as outlined by the federal ESA and applicable state guidance. These practices would support limiting potential adverse direct impacts to the identified unique, endangered, fragile, or limited environmental resources and critical habitats as well as many other wildlife species located within or periodically using the new site. Therefore, any adverse direct impacts to wildlife, including any *species of concern*, *species of special concern*, ESA-listed species, and/or ESA-delisted species would be short-term, negligible to minor, and consistent with historic impacts.

#### **Secondary Impacts:**

No significant adverse secondary impacts to unique, endangered, fragile, or limited environmental resources would be expected because of the development and use of the proposed new Sportsman's Bridge FAS to accommodate MDT right-of-way requirements for the new Flathead River Bridge. The Biological Assessment prepared by MDT and FHWA in consultation with the USFWS issued in April 2022 analyzed the effects of the action on the federally threatened bull trout (*Salvelinus confluentus*) and bull trout critical habitat, grizzly bear (*Ursus arctos horribilis*), and yellow-billed cuckoo (*Coccyzus americanus*). The FHWA made a determination of *may affect, likely to adversely affect* for bull trout and bull trout critical habitat, and *may affect, not likely to adversely affect* determination(s) for grizzly bear and yellow-billed cuckoo. In their Biological Opinion issued on October 26, 2022, the USFWS concurred

with FHWA's determination that the proposed project *may affect, not likely to adversely affect* the threatened grizzly bear and yellow-billed cuckoo. Further, the USFWS concluded that implementation of this project, including the FAS, is ***not likely to appreciably reduce survival, recovery, or the continued existence*** of bull trout locally, at the scale of the Columbia Headwaters Recovery Unit, and by extension, the coterminous United States Population of bull trout. FWP also concurs; therefore, any adverse secondary impacts to the affected ESA-listed species would be negligible to minor. The ESA-listed Spalding's campion, Canada lynx, red knot, wolverine, and meltwater lednian stonefly would not be expected to use the affected site or be impacted by the project.

For the purposes of wildlife species listed as *threatened* or *endangered* under the federal ESA, MEPA considers a "take" to constitute a significant adverse impact. Specific to the ESA-listed *Threatened* grizzly bear, bull trout, and yellow-billed cuckoo, the ESA defines "take" as follows: to harass, harm, pursue, hunt, shoot, wound, kill, trap, capture, or collect or to attempt to engage in any such conduct. 16 U.S. C. 1542(b). The term *harm* in the definition of 'take' means an act which actually kills or injures wildlife. Such an act may include *significant habitat modification or degradation* where it actually kills or injures wildlife by significantly impairing essential behavior patterns, including breeding, feeding, or sheltering." 50 C.F.R. § 17.3.

To find that habitat modification under Alternative 2 constitutes a taking of listed species under the federal definition of *harm*, all aspects of the *harm* definition must be triggered. Therefore, for the purposes of Alternative 2, the following conditions must all be met for a *taking* or a *significant adverse impact* to occur to the *threatened* grizzly bear, the *threatened* North American wolverine, the *threatened* Canada lynx, and the *threatened* bull trout (USFWS, FWS/AES/067974, April 26, 2018):

- Is the modification of habitat significant? No. Alternative 2 would be planned and implemented in response to MDT's functional replacement of the existing Highway 82 Sportsman's Bridge per 23 CFR 710.509. Under Alternative 2, MDT would acquire a new property on the west side of the Flathead River and adjacent to the new Highway 82 Flathead River Bridge.

Alternative 2 would be expected to result in impacts to the affected area; however, any such impacts would be short-term, lasting only as long as the construction phase of Alternative 2. Further, Alternative 2 would occur in an area currently used for travel and recreational purposes (i.e., existing highway 82 Sportsman's Bridge and FAS). Therefore, any adverse secondary impacts to the affected area and associated habitats would be consistent with existing habitats and thus negligible to minor.

- If so, does that modification also significantly impair an essential behavior pattern of an ESA-listed species? No. Alternative 2 would not significantly and adversely impact the habitat(s) of the affected ESA-listed threatened species (see above). The proposed project would take place within or adjacent to the existing Highway 82 corridor, which, by design, currently and historically has experienced a high level of human use for travel and recreational purposes. Further, any adverse impacts from replacement of the existing Highway 82 Sportsman's Bridge (MDT) and development and use of the proposed new Sportsman's Bridge FAS (FWP) would be consistent with impacts that have been realized since initial development of the existing bridge and FAS. Therefore, because the affected area is currently, and would continue to experience a high-level of human use, no adverse secondary impacts to the behavioral patterns of any of the affected ESA-listed species would be expected because of Alternative 2.
- If so, is the significant modification of the habitat, with a significant impairment of an essential behavior pattern, likely to result in the actual killing or injury of wildlife? No. Alternative 2 would

not be expected to result in a significant modification of existing habitat, would not be expected to significantly impair an essential behavior pattern, and thus would not be expected to kill or injure any of the affected ESA-listed *threatened* species.

Similar to conclusions made for the ESA-listed species, as discussed above, because the affected area currently experiences, and would continue to experience, a high-level of human use, the affected ESA-delisted species and state-listed *species of concern* would be unlikely to use the affected area in its current state or following completion of the proposed modifications. Further, any ESA-delisted species or state-listed *species of concern* that do use the affected area for part of their life cycle would experience the same or similar impacts pre- and post-project. Therefore, no significant adverse secondary impacts to any of the identified ESA-listed *threatened* species, ESA-delisted species, or state-listed *species of concern* that use or may use the affected area would be expected because of Alternative 2, the proposed project.

**Cumulative Impacts:**

No significant adverse cumulative impacts would be expected because of the proposed project. However, under the proposed action, cumulative impacts would occur. Pursuant to MEPA, because FWP's proposed action is *related* to MDT's currently proposed Highway 82 Sportsman's Bridge replacement project and FWP's existing Sportsman's Bridge FAS project, as cited in *Section IX, Cumulative Impacts Analysis*, any cumulative impacts from FWP's proposed action must be considered in the context of these actions. With consideration for potential cumulative impacts from the proposed project, no significant adverse cumulative impacts would be expected. Any adverse cumulative impacts would be short-term and negligible to minor. Any beneficial cumulative impacts would be long-term and negligible to minor.

Any currently unknown future projects and associated cumulative impacts to the affected human environment would be assessed on a case-by-case basis pursuant to MEPA and other affected public processes and regulatory mechanisms, as applicable, prior to project approval and implementation. For a more detailed discussion of potential cumulative impacts associated with the proposed project see *Section IX, Cumulative Impacts Analysis*.

## 9. Historical and Archaeological Sites

**Existing Environment/Baseline Conditions (No Action Alternative):**

No historical sites are recorded on the new parcel, or in the proposed area for development. The parcel was surveyed by Montana Department of Transportation Archaeologist Laura Evilsizer in October 2023. For additional information related to the affected environment see *Section VII, General Setting of the Affected Environment*.

**Direct Impacts:**

No significant adverse direct impacts to historic and archaeological sites would be expected because of the proposed project. According to the applicable requirements of § 22-3-433, MCA, construction and other ground disturbing activities associated with the proposed project would require consultation with the State Historical Preservation Office or SHPO. In keeping with the Montana Antiquities Act and related regulations (12.8.501-12.8.510), all undertakings on state lands are assessed by a qualified archaeologist for their potential to affect cultural resources. The process for this assessment may include a cultural resource inventory and evaluation of cultural resources within or near the project area, in consultation with the State Historic Preservation Office (SHPO). FWP also consults with all Tribal Historic Preservation Offices (THPO) affiliated with each affected property in accordance with FWP's Tribal Consultation Guidelines. If cultural resources within or near the project area are recorded that are eligible for the National Register of Historic Places, they will be protected from adverse effects through

adjustments to the project design or cancellation of the project if no design alternatives are available. If cultural resources are unexpectedly discovered during project implementation, FWP will cease implementation, and contact FWP's Heritage Program and/or SHPO and affected THPOs for further evaluation.

In October 2023, a cultural resource inventory of the affected area was conducted by Montana Department of Transportation archaeologist Laura Evilsizer. **(Appendix A 8)** The cultural resource inventory did not record any cultural resources on the parcel of land proposed for acquisition and development. The cultural resource inventory report was sent to the State Historic Preservation Office and the Tribal Historic Preservation Offices of the Confederated Salish and Kootenai Tribes and the Blackfeet Nation for consultation. No direct impacts to cultural resources (historical and/or archaeological sites) would be expected because of the proposed project.

#### **Secondary Impacts:**

No significant adverse secondary impacts to historic and archaeological sites would be expected because of the proposed project. In keeping with the Montana Antiquities Act and related regulations (12.8.501-12.8.510), all undertakings on state lands are assessed by a qualified archaeologist or historian for their potential to affect cultural resources. The process for this assessment may include a cultural resource inventory and evaluation of cultural resources within or near the project area, in consultation with the SHPO. FWP also consults with all THPOs affiliated with each affected property in accordance with FWP's Tribal Consultation Guidelines. If cultural resources within or near the project area are recorded that are eligible for the National Register of Historic Places, they will be protected from adverse effects through adjustments to the project design or cancellation of the project if no design alternatives are available. If cultural resources are unexpectedly discovered during project implementation, FWP will cease implementation, and contact FWP's Heritage Program and/or SHPO and affected THPOs for further evaluation. Therefore, no adverse secondary impacts would be expected because of the proposed project.

#### **Cumulative Impacts:**

No significant adverse cumulative impacts would be expected because of the proposed project. However, under the proposed action, cumulative impacts would occur. Pursuant to MEPA, because FWP's proposed action is *related* to MDT's currently proposed Highway 82 Sportsman's Bridge replacement project and FWP's existing Sportsman's Bridge FAS project, as cited in *Section IX, Cumulative Impacts Analysis*, any cumulative impacts from FWP's proposed action must be considered in the context of these actions. With consideration for potential cumulative impacts from the proposed project, no significant adverse cumulative impacts would be expected. Any adverse cumulative impacts would be short-term and negligible to minor. Any beneficial cumulative impacts would be long-term and negligible to minor.

Any currently unknown future projects and associated cumulative impacts to the affected human environment would be assessed on a case-by-case basis pursuant to MEPA and other affected public processes and regulatory mechanisms, as applicable, prior to project approval and implementation. For a more detailed discussion of potential cumulative impacts associated with the proposed project see *Section IX, Cumulative Impacts Analysis*.

## **10. Demands on Environmental Resources of Land, Water, Air, and Energy**

#### **Existing Environment/Baseline Conditions (No Action Alternative):**

The existing Sportsman's Bridge FAS sits on a six-acre property that is bordered by Highway 82 on one side, the Flathead River on one side, and private property on two sides. The existing recreational infrastructure occupies approximately three acres, and the rest remains undeveloped open space

occupied by trees and wetlands. No water or electricity is provided on-site. The property proposed for acquisition by MDT is a 18.22-acres agricultural field with no infrastructure or utilities offered on the property. Water distribution infrastructure on the property includes a pumphouse located on the southeast edge of the property along the river with distribution lines running west underground to the neighboring property (parcel 4). The easement to the water distribution system and associated water right would be retained by the private owner. For additional information related to the affected environment see *Section VII, General Setting of the Affected Environment*.

#### **Direct Impacts:**

No significant adverse direct impacts to demands on environmental resources of land, water, air, and energy would be expected because of the proposed project. The proposed project would develop recreational infrastructure including access roads, parking areas, a boat ramp, latrine, and signs on approximately 6 acres of currently undeveloped property. Therefore, minor impacts to the environmental resources of land and water would be expected because of the proposed project. Further, some short-term, negligible to minor adverse direct impacts to air quality may be realized during the construction phase of the proposed project; however, no ongoing adverse impacts or demands for air or impacts to air quality would occur because of the proposed project. Fuel would be required to operate equipment and vehicles used to develop the proposed project. However, any adverse direct impacts or demands for energy resources would be short-term and negligible, as the proposed project and associated construction activities are relatively small and the construction phase would be relatively short; therefore, the amount of fuel necessary to complete the proposed project would be minimal. No other direct demands or impacts on the environmental resources of land, water, air, and energy would be expected because of the proposed project. Any direct impacts would be short-term and negligible to minor.

#### **Secondary Impacts:**

No significant adverse secondary impacts to demands on environmental resources of land, water, air, and energy would be expected because of the proposed project. As identified previously through the analyses of potential direct impacts to terrestrial, avian, and aquatic life and habitats; water quality, quantity, and distribution; soil quality, stability, and moisture; air quality; some adverse impacts to the environmental resources of water, land, and air may occur because of the proposed project. However, as noted previously, any such impacts would be short- and long-term, negligible to minor, and adequately mitigated. Further, as identified previously through the analyses of potential secondary impacts to water quality, quantity, and distribution; geology; soil quality, stability, and moisture; and air quality (see cited impacts analyses above), following the construction phase of the proposed project, no ongoing or new adverse impacts would be expected because of the proposed project. Therefore, no adverse secondary impacts to the environmental resources of land, water, air, and energy would be expected because of the proposed project.

#### **Cumulative Impacts:**

No significant adverse cumulative impacts would be expected because of the proposed project. However, under the proposed action, cumulative impacts would occur. Pursuant to MEPA, because FWP's proposed action is *related* to MDT's currently proposed Highway 82 Sportsman's Bridge replacement project and FWP's existing Sportsman's Bridge FAS project, as cited in *Section IX, Cumulative Impacts Analysis*, any cumulative impacts from FWP's proposed action must be considered in the context of these actions. With consideration for potential cumulative impacts from the proposed project, no significant adverse cumulative impacts would be expected. Any adverse cumulative impacts would be short-term and negligible to minor. Any beneficial cumulative impacts would be long-term and negligible to minor.

Any currently unknown future projects and associated cumulative impacts to the affected human environment would be assessed on a case-by-case basis pursuant to MEPA and other affected public processes and regulatory mechanisms, as applicable, prior to project approval and implementation. For a more detailed discussion of potential cumulative impacts associated with the proposed project see *Section IX, Cumulative Impacts Analysis*.

## B. Evaluation and Summary of Potential Impacts of the Proposed Project on the Human Environment

### 1. Social Structures and Mores

#### **Existing Environment/Baseline Conditions (No Action Alternative):**

Sportsman's Bridge FAS is located near Bigfork, MT, in Flathead County. Recent visitation data indicates a five-year average of approximately 15,614 vehicles entrances annually. The site currently provides a boat ramp, parking area, vault latrine, and access to approximately 210 feet of Flathead River shoreline. No overnight camping is allowed on the site and the majority of visitation occurs during the summer season. The site provides recreational access to the Flathead River and Flathead Lake for a wide range of water-based activities. A smaller portion of the use is for non-water-based recreation such as picnicking and dog walking. The property proposed for replacement and development is currently privately owned and used for agricultural purposes. For additional information related to the affected environment see *Section VII, General Setting of the Affected Environment*.

#### **Direct Impacts:**

No significant adverse direct impacts to pre-project social structures and mores would be expected because of the proposed project. Many Montanans and those visiting the state for outdoor recreational purposes hold high regard for conservation of and access to public lands, including FAS. Sportsman's Bridge FAS is an existing recreational site managed by FWP and is one of five such FAS' on the Flathead River. The existing FAS would relocate across the river to a new site and the existing FAS site would be demolished and reclaimed. Existing recreational opportunities would be replaced and enhanced. As such, recreation, and related services support the existing social structure, customs, values, and conventions of the affected human population in and around Sportsman's Bridge FAS as well as any visitors to the affected area. Any direct impacts would be minor and beneficial.

#### **Secondary Impacts:**

No significant adverse secondary impacts to pre-project social structures and mores would be expected because of the proposed project. Sportsman's Bridge FAS is an existing site managed by FWP and is one of five such sites on the Flathead River above Flathead Lake. As such, recreation, and related services support the existing social structure, customs, values, and conventions of the affected human population in and around Sportsman's Bridge FAS as well as any visitors to the affected area. The proposed project would improve access to the shore of the Flathead River, nearby Flathead Lake (~2 miles downstream), and, like the existing Sportsman's Bridge FAS (east side), would continue to alleviate adverse impacts associated with increasing use and congestion at the other FAS located upstream on the Flathead River. Therefore, the proposed action would continue to support existing social structures and mores in the affected area. Any secondary impacts would be long-term, minor to moderate, consistent with existing impacts, and beneficial.

#### **Cumulative Impacts:**

No significant adverse cumulative impacts would be expected because of the proposed project. However, under the proposed action, cumulative impacts would occur. Pursuant to MEPA, because FWP's proposed action is *related* to MDT's currently proposed Highway 82 Sportsman's Bridge

replacement project and FWP's existing Sportsman's Bridge FAS project, as cited in *Section IX, Cumulative Impacts Analysis*, any cumulative impacts from FWP's proposed action must be considered in the context of these actions. With consideration for potential cumulative impacts from the proposed project, no significant adverse cumulative impacts would be expected. Any adverse cumulative impacts would be short-term and negligible to minor. Any beneficial cumulative impacts would be long-term and negligible to minor.

Any currently unknown future projects and associated cumulative impacts to the affected human environment would be assessed on a case-by-case basis pursuant to MEPA and other affected public processes and regulatory mechanisms, as applicable, prior to project approval and implementation. For a more detailed discussion of potential cumulative impacts associated with the proposed project see *Section IX, Cumulative Impacts Analysis*.

## 2. Cultural Uniqueness and Diversity

### **Existing Environment/Baseline Conditions (No Action Alternative):**

The existing Sportsman's Bridge FAS and property proposed for accommodation replacement and development are located near Bigfork in Flathead County MT. See section VII. General Setting of the Affected Environment for population and demographic information for Flathead County. For additional information related to the affected environment see *Section VII, General Setting of the Affected Environment*.

### **Direct Impacts:**

No significant adverse direct impacts to cultural uniqueness and diversity would be expected because of the proposed project. The proposed project would close and reclaim the existing Sportsman's Bridge FAS site (east side) and replace the existing FAS with a new FAS (west side). The proposed action would not be expected to result in the immigration or emigration of people into or out of the affected area. Therefore, no direct impacts to the existing cultural uniqueness and diversity of the affected human population would be expected because of the proposed project.

### **Secondary Impacts:**

No significant adverse secondary impacts to cultural uniqueness and diversity would be expected because of the proposed project. The proposed project would close and reclaim the existing Sportsman's Bridge FAS site (east side) and replace the existing FAS with a new FAS (west side) to accommodate MDT's replacement of the Sportsman's Bridge over the Flathead River on Highway 82. While the proposed project would be expected to improve the existing visitor experience, it would not be expected to appreciably result in the immigration or emigration of people to or from the affected area or otherwise change the social and cultural make-up of the affected area. Therefore, no secondary impacts to the pre-project cultural uniqueness and diversity of the affected area would be expected because of the proposed project.

### **Cumulative Impacts:**

No significant adverse cumulative impacts would be expected because of the proposed project. However, under the proposed action, cumulative impacts would occur. Pursuant to MEPA, because FWP's proposed action is *related* to MDT's currently proposed Highway 82 Sportsman's Bridge replacement project and FWP's existing Sportsman's Bridge FAS project, as cited in *Section IX, Cumulative Impacts Analysis*, any cumulative impacts from FWP's proposed action must be considered in the context of these actions. With consideration for potential cumulative impacts from the proposed project, no significant adverse cumulative impacts would be expected. Any adverse cumulative impacts would be short-term and negligible to minor. Any beneficial cumulative impacts would be long-term and negligible to minor.

Any currently unknown future projects and associated cumulative impacts to the affected human environment would be assessed on a case-by-case basis pursuant to MEPA and other affected public processes and regulatory mechanisms, as applicable, prior to project approval and implementation. For a more detailed discussion of potential cumulative impacts associated with the proposed project see *Section IX, Cumulative Impacts Analysis*.

### 3. Access to and Quality of Recreational and Wilderness Activities

#### **Existing Environment (No Action Alternative):**

The existing Sportsman's Bridge FAS provides access to the Flathead River and Flathead Lake for a wide range of water-based recreational activities including motorized and non-motorized boating, fishing, and hunting. It is one of Five FWP FAS' on the Flathead River above Flathead Lake and the last downstream access site before Flathead Lake. On Flathead Lake, five FWP FASs and six FWP State Parks provide alternative access to Flathead Lake. Additionally, some city, local, federal and tribal agencies operate recreational access sites on the Flathead River and Flathead Lake. The existing FAS includes two boat ramps, 25 boat-trail parking spaces, 10 single-vehicle parking spaces, a vault latrine, regulatory signs, and access to approximately 210 ft of Flathead River shoreline. For additional information related to the affected environment see *Section VII, General Setting of the Affected Environment*.

Figure 8. Crowding at the existing Sportsman's Bridge FAS



#### **Direct Impacts:**

No significant adverse direct impacts to access to and quality of recreational and wilderness activities would be expected because of the proposed project. No congressionally designated Wilderness Areas would be affected by the proposed action. Therefore, no impacts to wilderness activities would be expected because of the proposed project.

The proposed new Sportsman's Bridge FAS would be constructed and open to the public prior to demolition and reclamation of the existing FAS. This would ensure continued public access to the

Flathead River and Flathead Lake from Sportsman's Bridge. Construction activities associated with MDT's Sportsman's bridge replacement project may necessitate short-term interruption of access to the proposed new FAS; however, any anticipated interruptions would be brief. Further, five additional FAS's managed by FWP, and several other Flathead River access points managed by other entities exist upstream of Sportsman's Bridge on the Flathead River. Therefore, any adverse direct impacts would be short-term and negligible to minor.

**Secondary Impacts:**

No significant adverse secondary impacts to access to and quality of recreational and wilderness activities would be expected because of the proposed project. When compared to the existing Sportsman's Bridge FAS (east side), FWP expects that recreational opportunities at the proposed new FAS would be improved. Following completion of the proposed project, parking capacity at Sportsman's bridge FAS would be expanded by approximately 16 spaces and shoreline access would be expanded by approximately 800ft. The proposed new FAS would feature a more efficient layout with a staging lane for boats waiting to launch and angled boat-trailer parking stalls. The new site would also feature a new latrine and ADA-compliant parking stalls. Further, the FAS approach from Highway 82 would be safer and more user-friendly with improved sight distances, a dedicated left turn lane, and a flatter grade. Overall, these improvements would improve the quality and quantity of access to recreational activities at the site and on Flathead River and Flathead Lake. Therefore, FWP expects that any secondary impacts would be long term, moderate, and beneficial.

**Cumulative Impacts:**

No significant adverse cumulative impacts would be expected because of the proposed project. However, under the proposed action, cumulative impacts would occur. Pursuant to MEPA, because FWP's proposed action is *related* to MDT's currently proposed Highway 82 Sportsman's Bridge replacement project and FWP's existing Sportsman's Bridge FAS project, as cited in *Section IX, Cumulative Impacts Analysis*, any cumulative impacts from FWP's proposed action must be considered in the context of these actions. With consideration for potential cumulative impacts from the proposed project, no significant adverse cumulative impacts would be expected. Any adverse cumulative impacts would be short-term and negligible to minor. Any beneficial cumulative impacts would be long-term and negligible to minor.

Any currently unknown future projects and associated cumulative impacts to the affected human environment would be assessed on a case-by-case basis pursuant to MEPA and other affected public processes and regulatory mechanisms, as applicable, prior to project approval and implementation. For a more detailed discussion of potential cumulative impacts associated with the proposed project see *Section IX, Cumulative Impacts Analysis*.

#### **4. Local and State Tax Base and Tax Revenue**

**Existing Environment/Baseline Conditions (No Action Alternative):**

FWP is required by law to make tax payments to counties equal to the amount that a private landowner would be required to pay per § 87-1-603, Montana Code Annotated. For additional information related to the affected environment see *Section VII, General Setting of the Affected Environment*.

**Direct Impacts:**

No significant adverse direct impacts to local and state tax base and tax revenues would be expected because of the proposed project. Funding to support the proposed project would be sourced from FWP funding sources, including state special revenue. Because FWP would expand its property ownership through MDT's accommodation, including an additional 800 ft of river frontage, FWP's property tax

payment to Flathead County would be expected to increase. Further, the proposed project would be expected to increase state and local tax revenues from the local sale of fuel, supplies and/or equipment to complete the project. Any adverse or beneficial direct impacts would be short-term and negligible to minor.

**Secondary Impacts:**

No significant adverse secondary impacts to local and state tax base and tax revenues would be expected because of the proposed project. Funding to support the proposed project would be sourced from FWP funding sources, including state special revenue. Also, recreational spending in affected nearby communities may be increased by the increased capacity and associated increased use of the new Sportsman's Bridge FAS, when compared to the existing FAS, which would beneficially impact local tax revenue. Any secondary impacts would be long-term, negligible to minor, and beneficial.

**Cumulative Impacts:**

No significant adverse cumulative impacts would be expected because of the proposed project. However, under the proposed action, cumulative impacts would occur. Pursuant to MEPA, because FWP's proposed action is *related* to MDT's currently proposed Highway 82 Sportsman's Bridge replacement project and FWP's existing Sportsman's Bridge FAS project, as cited in *Section IX, Cumulative Impacts Analysis*, any cumulative impacts from FWP's proposed action must be considered in the context of these actions. With consideration for potential cumulative impacts from the proposed project, no significant adverse cumulative impacts would be expected. Any adverse cumulative impacts would be short-term and negligible to minor. Any beneficial cumulative impacts would be long-term and negligible to minor.

Any currently unknown future projects and associated cumulative impacts to the affected human environment would be assessed on a case-by-case basis pursuant to MEPA and other affected public processes and regulatory mechanisms, as applicable, prior to project approval and implementation. For a more detailed discussion of potential cumulative impacts associated with the proposed project see *Section IX, Cumulative Impacts Analysis*.

## 5. Industrial, Commercial, and Agricultural Activities and Production

**Existing Environment/Baseline Conditions (No Action Alternative):**

No industrial activities occur at the existing or proposed Sportsman's Bridge FAS or in the immediate vicinity of either. Agricultural production currently occurs on the site of the proposed new FAS and in the immediate vicinity. More specifically, alfalfa hay is currently grown on the affected private property proposed for acquisition and development. Other crops grown in the vicinity include wheat, canola, mustard, barley, and peas. Some commercial activity including outfitting and guiding, watercraft rental, and other recreational service-oriented business occurs at the existing Sportsman's Bridge FAS as per FWP's Commercial Use Rules and associated administrative rules at ARM 12.14.101 to 12.14.170. For additional information related to the affected environment see *Section VII, General Setting of the Affected Environment*.

**Direct Impacts:**

No significant adverse direct impacts to industrial, commercial, and agricultural activities and production would be expected because of the proposed project. Of the 18.22-acre property utilization from MDT's replacement, approximately 6 acres of alfalfa would be eliminated from agricultural production to accommodate development of the new FAS. The remaining acreage would either continue to be used

for agricultural purposes or would be reclaimed by FWP to more natural vegetation. In either case, the proposed project would directly impact a small fraction of existing agricultural production in the affected area. Any adverse impacts to existing agricultural production would be long-term and negligible.

No industrial activity occurs at either the existing FAS (east side) or the property proposed for utilization and development of the proposed new FAS (west side). Therefore, no impacts to industrial activity would be expected because of the proposed project. Current commercial activities occurring at the existing FAS would simply be transferred to the new site and the new FAS site would potentially accommodate a negligible increase in commercial activity.

The existing Sportsman's Bridge FAS periodically facilitates commercial activity for varied interests in accordance with the FWP commercial use permitting policy and associated administrative rules at ARM 12.14.101 through 12.14.170. Examples include outfitters and guides, watercraft rentals, and other service providers operating under FWP issued Commercial Use Permits. FWP would hire local/in-state contractor(s) for the design and construction phase of the proposed project(s), thereby directly and beneficially impacting local and/or state commercial activity and production. Any direct impacts to commercial activity and production in the affected area would be short-term, negligible to minor, and beneficial. Also, short-term, minor, and beneficial impacts to commercial and industrial production associated with construction and development of the proposed new FAS would be expected.

#### **Secondary Impacts:**

No significant adverse secondary impacts to industrial, commercial, and agricultural activities and production would be expected because of the proposed project. Sportsman's Bridge FAS is an existing FAS established primarily for the purposes of public recreation, thus the area affected by the proposed project does not support industrial activities and/or production. Because the affected area is not used for industrial purposes, no secondary impacts to industrial activities within or near the existing or proposed new Sportsman's Bridge FAS would be expected because of the proposed project.

Of the proposed 18.22-acre property replacement approximately 6 acres of existing alfalfa would be taken out of production to accommodate development of the proposed new FAS. The remaining acreage would continue to be cultivated and harvested or would be transitioned to more natural vegetation. Because the acreage lost to the proposed new FAS is relatively small, and similar agricultural activities and production also occur within the vicinity of the proposed project, any adverse impacts to agricultural activities and production would be long-term and negligible to minor.

Also, the proposed project would facilitate improved recreational resources (i.e., a new FAS replacing an old FAS) and thereby potentially increase local participation in commercial activities at the affected site and an associated increase in service provider commercial use permits. Therefore, any secondary impacts to commercial activity in the affected area would be long-term, minor, and beneficial.

#### **Cumulative Impacts:**

No significant adverse cumulative impacts would be expected because of the proposed project. However, under the proposed action, cumulative impacts would occur. Pursuant to MEPA, because FWP's proposed action is *related* to MDT's currently proposed Highway 82 Sportsman's Bridge replacement project and FWP's existing Sportsman's Bridge FAS project, as cited in *Section IX, Cumulative Impacts Analysis*, any cumulative impacts from FWP's proposed action must be considered in the context of these actions. With consideration for potential cumulative impacts from the proposed project, no significant adverse cumulative impacts would be expected. Any adverse cumulative impacts would be short-term and negligible to minor. Any beneficial cumulative impacts would be long-term and negligible to minor.

Any currently unknown future projects and associated cumulative impacts to the affected human environment would be assessed on a case-by-case basis pursuant to MEPA and other affected public processes and regulatory mechanisms, as applicable, prior to project approval and implementation. For a more detailed discussion of potential cumulative impacts associated with the proposed project see *Section IX, Cumulative Impacts Analysis*.

## 6. Human Health and Safety

### **Existing Environment/Baseline Conditions (No Action Alternative):**

The existing approach to Sportsman's Bridge FAS from Highway 82 makes it difficult and dangerous to enter and exit the site. The turn-off for the existing Sportsman's Bridge FAS is located on a hill and requires users to decelerate quickly and navigate a sharp corner shortly after leaving Highway 82. This turn is especially difficult for recreational users pulling boat trailers when other vehicles are stopped at the intersection waiting to leave the site. For additional information related to the affected environment see *Section VII, General Setting of the Affected Environment*.

Figure 9. Approach to the existing Sportsman's Bridge FAS



### **Direct Impacts:**

No significant adverse direct impacts to human health and safety would be expected because of the proposed project. Affected government staff and/or contractors hired to conduct the project may realize increased risk to human health and safety associated with the demolition and rehabilitation of the existing FAS site and construction of the proposed new FAS; however, FWP would require affected staff and/or contractors to operate in a safe manner and utilize best management practices, including the use of available and appropriate safety precautions. Demolition and construction activities may also

increase risks to human health and safety for users of the affected site(s). However, any increased risk to human health and safety would be mitigated by the temporary, partial, or total closure of the affected sites during the demolition and construction phase of the proposed project. Therefore, any adverse direct impacts to human health and safety associated with the proposed project would be short-term and negligible to minor. Any beneficial impacts would be short-term and minor to moderate.

**Secondary Impacts:**

No significant adverse secondary impacts to human health and safety would be expected because of the proposed project. The proposed project would close and remove the existing Sportsman's Bridge FAS on the east side of the Flathead River and develop a new Sportsman's Bridge FAS on the west side of the Flathead River, with access via the existing Oldenburg Road. The approach to Oldenburg Road Would be improved with turn lanes and an improved approach apron. The result would be a safer approach for users of the proposed new FAS, especially those pulling boat trailers. No adverse secondary impacts would be expected because of the proposed project. Any secondary impacts would be long-term, minor to moderate, and beneficial.

**Cumulative Impacts:**

No significant adverse cumulative impacts would be expected because of the proposed project. However, under the proposed action, cumulative impacts would occur. Pursuant to MEPA, because FWP's proposed action is *related* to MDT's currently proposed Highway 82 Sportsman's Bridge replacement project and FWP's existing Sportsman's Bridge FAS project, as cited in *Section IX, Cumulative Impacts Analysis*, any cumulative impacts from FWP's proposed action must be considered in the context of these actions. With consideration for potential cumulative impacts from the proposed project, no significant adverse cumulative impacts would be expected. Any adverse cumulative impacts would be short-term and negligible to minor. Any beneficial cumulative impacts would be long-term and negligible to minor.

Any currently unknown future projects and associated cumulative impacts to the affected human environment would be assessed on a case-by-case basis pursuant to MEPA and other affected public processes and regulatory mechanisms, as applicable, prior to project approval and implementation. For a more detailed discussion of potential cumulative impacts associated with the proposed project see *Section IX, Cumulative Impacts Analysis*.

## **7. Quantity and Distribution of Employment**

**Existing Environment/Baseline Conditions (No Action Alternative):**

The existing Sportsman's Bridge FAS is operated and maintained by FWP employees. While the existing Sportsman's Bridge FAS has no dedicated employees, several maintenance workers, groundskeepers, administrative, and enforcement staff regularly perform duties at the site. Further, in accordance with FWP commercial use policy and the applicable administrative rules, commercial use permits are issued by FWP to provide recreation-based economic business opportunities and associated recreational visitor services at the existing Sportsman's Bridge FAS'. For additional information related to the affected environment see *Section VII, General Setting of the Affected Environment*.

**Direct Impacts:**

No significant adverse direct impacts to the quantity and distribution of employment in the affected area would be expected because of the proposed project. Existing government staff and/or local contractors would be used to complete the construction phase of the proposed project resulting in a direct short-term minor to moderate beneficial impacts to the quantity and distribution of employment in the area. Commercial use permit holders that currently use the existing Sportsman's Bridge FAS

would likely also use the new site, when completed, and with only temporary interruptions in access while the proposed new FAS is developed. During development of the proposed new Sportsman's Bridge FAS, commercial use permit holders could use any of the several other FWP access sites on the Flathead River and Flathead Lake to accommodate business operations. Therefore, any adverse direct impacts would be short-term and negligible.

**Secondary Impacts:**

No significant adverse secondary impacts to the quantity and distribution of employment in the affected area would be expected because of the proposed project. FWP expects that recreational opportunities at the proposed new Sportsman's Bridge FAS would be improved when compared to the existing FAS.. Most commercial activities that take place at Sportsman's Bridge FAS constitute permitted recreational pursuits and more specifically recreational equipment rentals and/or guided fishing trips on the Flathead River and Flathead Lake. The project would result in an increased capacity for recreational use at Sportsman's Bridge FAS including increased capacity for commercial uses. Therefore, any secondary impacts would be long term, minor, and beneficial.

**Cumulative Impacts:**

No significant adverse cumulative impacts would be expected because of the proposed project. However, under the proposed action, cumulative impacts would occur. Pursuant to MEPA, because FWP's proposed action is *related* to MDT's currently proposed Highway 82 Sportsman's Bridge replacement project and FWP's existing Sportsman's Bridge FAS project, as cited in *Section IX, Cumulative Impacts Analysis*, any cumulative impacts from FWP's proposed action must be considered in the context of these actions. With consideration for potential cumulative impacts from the proposed project, no significant adverse cumulative impacts would be expected. Any adverse cumulative impacts would be short-term and negligible to minor. Any beneficial cumulative impacts would be long-term and negligible to minor.

Any currently unknown future projects and associated cumulative impacts to the affected human environment would be assessed on a case-by-case basis pursuant to MEPA and other affected public processes and regulatory mechanisms, as applicable, prior to project approval and implementation. For a more detailed discussion of potential cumulative impacts associated with the proposed project see *Section IX, Cumulative Impacts Analysis*.

## **8. Density and Distribution of Human Population and Housing**

**Existing Environment/Baseline Conditions (No Action Alternative):**

The existing Sportsman's Bridge FAS property is managed for recreational use with no overnight camping permitted. The site is bordered by private property that is part of a residential subdivision on two sides. The property proposed for acquisition by MDT and development is currently private property and is used for agricultural purposes. It is surrounded primarily by agricultural lands with light residential occupation. The existing Sportsman's Bridge FAS averages approximately 15,500 annual vehicle entrances, the bulk of which occur during the summer season. The town of Bigfork, with a population of 5,1018, as of the 2020 U.S. census, is approximately three miles from the proposed project. For additional information related to the affected environment see *Section VII, General Setting of the Affected Environment*.

**Direct Impacts:**

No significant adverse direct impacts to the density and distribution of human population and housing in the affected area would be expected because of the proposed project. Demolition of the existing Sportsman's Bridge FAS and development of the proposed new FAS would be accomplished by existing

government staff and/or contractors and would not otherwise require or result in any new employment opportunities or the movement of existing or new population into or out of the affected area. Therefore, no direct impacts would be expected because of the proposed project.

**Secondary Impacts:**

No significant adverse secondary impacts to the density and distribution of human population and housing in the affected area would be expected because of the proposed project. Following project completion, FWP would not expect any new employment opportunities or the immigration or emigration of long-term residents to or from the affected area because of the proposed project. Also, existing FWP staff currently responsible for managing the existing Sportsman's Bridge FAS would continue to manage the new, improved FAS once the proposed project is completed. Therefore, no secondary impacts would be expected because of the proposed project.

**Cumulative Impacts:**

No significant adverse cumulative impacts would be expected because of the proposed project. However, under the proposed action, cumulative impacts would occur. Pursuant to MEPA, because FWP's proposed action is *related* to MDT's currently proposed Highway 82 Sportsman's Bridge replacement project and FWP's existing Sportsman's Bridge FAS project, as cited in *Section IX, Cumulative Impacts Analysis*, any cumulative impacts from FWP's proposed action must be considered in the context of these actions. With consideration for potential cumulative impacts from the proposed project, no significant adverse cumulative impacts would be expected. Any adverse cumulative impacts would be short-term and negligible to minor. Any beneficial cumulative impacts would be long-term and negligible to minor.

Any currently unknown future projects and associated cumulative impacts to the affected human environment would be assessed on a case-by-case basis pursuant to MEPA and other affected public processes and regulatory mechanisms, as applicable, prior to project approval and implementation. For a more detailed discussion of potential cumulative impacts associated with the proposed project see *Section IX, Cumulative Impacts Analysis*.

## 9. Demands for Government Services

**Existing Environment/Baseline Conditions (No Action Alternative):**

The existing Sportsman's Bridge FAS is in Flathead County. Therefore, Flathead County currently provides government services in response to activities occurring at the existing Sportsman's Bridge FAS. These government services include law enforcement, fire protection, and other emergency services in the affected area. Further, FWP game wardens routinely patrol the existing Sportsman's Bridge FAS, the Flathead River, and nearby Flathead Lake providing enforcement of fish, wildlife and recreational use laws. FWP staff manage and maintain the existing FAS, year-round. For additional information related to the affected environment see *Section VII, General Setting of the Affected Environment*.

**Direct Impacts:**

No significant adverse direct impacts to demands for government services would be expected because of the proposed project. FWP expects most of the work necessary to complete the proposed project would be accomplished by local, private contractors rather than existing FWP staff. However, some short-term and minor adverse direct impacts to government services and financial resources would be realized because the privately contracted work would be funded by FWP. Any adverse direct impacts to existing government staff and/or financial resources would be short-term, minor, and consistent with pre-project duties and expenditures. Also, some short term, minor, adverse direct impacts to Flathead County staff may occur associated with required review and permitting of the proposed project plans

and subsequent issuance of any required permit(s). No additional demands for government services would be expected because of the proposed project. Therefore, any adverse direct impacts would be short-term, negligible to minor, and consistent with pre-project impacts.

**Secondary Impacts:**

No significant adverse secondary impacts to demands for government services would be expected because of the proposed project. Following completion of the proposed project, FWP staff would continue to conduct and manage routine maintenance operations at the proposed new Sportsman's Bridge FAS, with little to no change from duties currently conducted at the existing FAS. These day-to-day operations include regularly monitoring the FAS and surrounding area for any resource damage, litter, facilities maintenance, and the monitoring and control of noxious weeds. No staffing increases would be required for the proposed project. Therefore, no adverse secondary impacts would be expected because of the proposed project.

**Cumulative Impacts:**

No significant adverse cumulative impacts would be expected because of the proposed project. However, under the proposed action, cumulative impacts would occur. Pursuant to MEPA, because FWP's proposed action is *related* to MDT's currently proposed Highway 82 Sportsman's Bridge replacement project and FWP's existing Sportsman's Bridge FAS project, as cited in *Section IX, Cumulative Impacts Analysis*, any cumulative impacts from FWP's proposed action must be considered in the context of these actions. With consideration for potential cumulative impacts from the proposed project, no significant adverse cumulative impacts would be expected. Any adverse cumulative impacts would be short-term and negligible to minor. Any beneficial cumulative impacts would be long-term and negligible to minor.

Any currently unknown future projects and associated cumulative impacts to the affected human environment would be assessed on a case-by-case basis pursuant to MEPA and other affected public processes and regulatory mechanisms, as applicable, prior to project approval and implementation. For a more detailed discussion of potential cumulative impacts associated with the proposed project see *Section IX, Cumulative Impacts Analysis*.

## **10. Locally Adopted Environmental Plans and Goals**

**Existing Environment/Baseline Conditions (No Action Alternative):**

Sportsman's Bridge FAS is one of 332 FAS' in Montana, which provide access to high quality waters for angling, boating, bird hunting and other recreational opportunities. FWP is committed to the continued operation, maintenance, and overall management of such sites and the addition or improvement of such sites when opportunities arise, or conditions dictate.

Among the plant species confirmed, suspected, or possibly found in the affected area, 5 species are listed by the state of Montana as *species of concern* (**Table 7**). Approximately 20 Montana fish and wildlife *Species of Concern* have been documented using the property, have potential habitat on the property or occupy immediately adjacent waters including westslope cutthroat trout, bull trout, and lands including little brown bat, pileated woodpecker, varied thrush and oblique ambersnail (**Table 6**). (Montana Natural Heritage Program [MTNHP] data, 26 February 2024). ESA listed grizzly bears, wolverine and Canada lynx and ESA-delisted bald eagles may potentially use the affected area. For additional information related to the affected environment see *Section VII, General Setting of the Affected Environment*. For additional information regarding the effects of the proposed project on these species see *Section XI*.

**Direct Impacts:**

No significant adverse direct impacts to locally adopted environmental plans and goals would be expected because of the proposed project. The existing Sportsman's Bridge FAS was established to provide public recreational access to the Flathead River and Flathead Lake from the affected site. The primary purpose of the proposed project is to comply with right-of-way requirements associated with MDT's replacement of the existing and adjacent Sportsman's Bridge over the Flathead River, while maintaining and/or improving recreational access to the Flathead River and Flathead Lake. Demolition and construction activities associated with closure of the existing FAS and development of the new FAS, respectively, may adversely impact FWP's recreational goals in the affected area. However, FWP would maintain access from the existing Sportsman's Bridge FAS until the proposed new FAS has been developed and opened to the public. Therefore, no direct impacts would be expected because of the proposed project.

Construction activities associated with the proposed project may also adversely impact some locally observed wildlife species through temporary displacement, including the 20 state-listed animal *species of concern* and five state-listed plant *species of concern* that have been observed within or in the vicinity of the existing Sportsman's Bridge FAS. Bald eagles, which are currently listed by the state of Montana as a *special status species*, and have been de-listed under the federal ESA, have also been observed within and/or nearby the existing Sportsman's Bridge FAS and the proposed site of the new Sportsman's Bridge FAS. Among the 20 state-listed *species of concern*, bull trout, wolverine, and grizzly bear are also listed as threatened under the federal ESA. While these listed species may be temporarily displaced during construction and demolition activities, any direct impacts would be short-term, lasting only as long as the demolition and construction phase of the proposed project; negligible to minor; and consistent with existing impacts in the affected area.

**Secondary Impacts:**

No significant adverse secondary impacts to locally adopted environmental plans and goals would be expected because of the proposed project. The existing Sportsman's Bridge FAS was established to provide public recreational access to the Flathead River and Flathead Lake from the affected site. Once completed, the proposed new FAS would continue to be managed to support and/or improve this objective. The primary purpose of the proposed project is to comply with right-of-way requirements associated with MDT's replacement of the existing and adjacent Sportsman's Bridge over the Flathead River, while maintaining and/or improving recreational access to the Flathead River and Flathead Lake. The proposed project would accomplish this objective; therefore, no direct impacts would be expected because of the proposed project.

Sixteen state-listed animal *species of concern* and five state-listed plant *species of concern* have been observed within, or in the vicinity of, the existing Sportsman's Bridge FAS. Bald eagles, which are currently listed by the state of Montana as a *special status species*, and have been de-listed under the federal ESA, have also been observed within and/or nearby the existing Sportsman's Bridge FAS and the proposed site of the new Sportsman's Bridge FAS. Among the 1 state-listed animal *species of concern*, bull trout, wolverine, and grizzly bear are also listed as *threatened* under the federal ESA. It is FWP's broad-scope objective to re-establish specific habitats and species-specific populations to a condition and level that would allow for the de-listing of bull trout, wolverine, and grizzly bears from the ESA as well as the de-listing of all state *species of concern* and/or *species of special concern*. Once the proposed project is completed, FWP would not expect any additional adverse impacts to the identified *species of concern*, *special status species*, or *ESA-threatened* species that have been observed within or in the vicinity of the existing and proposed new Sportsman's Bridge FAS. Therefore, in-line with federal, state, and local plans and goals related to wildlife and wildlife protections, no adverse secondary impacts to

such wildlife resources would be expected because of the proposed project. FWP is unaware of any other locally adopted environmental plans or goals that would be impacted by the proposed project.

**Cumulative Impacts:**

No significant adverse cumulative impacts would be expected because of the proposed project. However, under the proposed action, cumulative impacts would occur. Pursuant to MEPA, because FWP's proposed action is *related* to MDT's currently proposed Highway 82 Flathead River Bridge replacement project and FWP's existing Sportsman's Bridge FAS project, as cited in *Section IX, Cumulative Impacts Analysis*, any cumulative impacts from FWP's proposed action must be considered in the context of these actions. With consideration for potential cumulative impacts from the proposed project, no significant adverse cumulative impacts would be expected. Any adverse cumulative impacts would be short-term and negligible to minor. Any beneficial cumulative impacts would be long-term and negligible to minor.

Any currently unknown future projects and associated cumulative impacts to the affected human environment would be assessed on a case-by-case basis pursuant to MEPA and other affected public processes and regulatory mechanisms, as applicable, prior to project approval and implementation. For a more detailed discussion of potential cumulative impacts associated with the proposed project see *Section IX, Cumulative Impacts Analysis*.

## XII. Alternative 3: Modifications to Existing FAS. Evaluation and Summary of Potential Impacts on the Physical Environment and Human Population

### A. Evaluation and Summary of Potential Impacts on the Physical Environment

#### 1. Terrestrial, Avian, and Aquatic Life and Habitats

**Existing Environment/Baseline Conditions (No Action Alternative):**

The affected area and associated wildlife habitat are predominantly Rocky Mountain Dry-Mesic Montane Mixed Conifer Forest with riparian habitat associated with the Flathead River. A broad array of terrestrial and avian animals may utilize habitats in and around the proposed new Sportsman's Bridge FAS either continuously or sporadically. Fish and amphibians would also be expected to use the affected area, specifically, the Flathead River and nearby Flathead Lake.

Among the plant species confirmed, suspected, or possibly found in the affected area, 5 species are listed by the state of Montana as *species of concern* (**Table 7**). Approximately 20 Montana fish and wildlife *Species of Concern* have been documented using the property, have potential habitat on the property or occupy immediately adjacent waters including westslope cutthroat trout, bull trout, and lands including little brown bat, pileated woodpecker, varied thrush and oblique ambersnail (**Table 6**). (Montana Natural Heritage Program [MTNHP] data, 26 February 2024). Furthermore, ESA listed bull trout, grizzly bear, Spalding's campion, Canada lynx, red knot, yellow-billed cuckoo, wolverine, and meltwater lednian stonefly and ESA-delisted bald eagles may potentially use the affected area. For additional information related to the affected environment see *Section VII, General Setting of the Affected Environment*. Impacts to the identified *threatened* species, *species of concern*, and *species of*

*special concern* are evaluated more thoroughly in *part 8, Unique, Endangered, Fragile or Limited Environmental Resources*, of this Impacts Analysis and *Section IX, Cumulative Impacts Analysis*.

**Direct Impacts:**

No significant adverse direct impacts to terrestrial, avian, and aquatic life and habitats would be expected because of modifications to the existing FAS necessary to accommodate MDT right-of-way requirements associated with MDT's Highway 82 Flathead River Bridge replacement project. However, some direct impacts may occur. More specifically, the use of heavy equipment and vehicles for activities necessary to modify the existing FAS may temporarily displace or cause certain wildlife species to avoid the affected areas while the construction activities are occurring.

Further, if Alternative 3 is approved and implemented, MDT must obtain an easement for a new access road to the existing FAS from the affected homeowner's association (HOA) and otherwise modify certain infrastructure present at the existing FAS to meet right-of-way requirements for the new bridge. The new access road to the existing FAS would necessarily cross an existing wetland, which would adversely impact the affected wetland habitat and any aquatic and terrestrial wildlife that locate or may use the affected wetland habitat. However, because the affected area represents and supports the purpose of an existing recreational resource and is located adjacent to Highway 82 and the associated Highway 82 Flathead River Bridge, the presence of people, vehicles, and heavy equipment needed to implement Alternative 3 would be consistent with the current and historic use of the affected area and any associated impacts to the affected human environment. Further, any direct impacts to aquatic species would be mitigated by best practices including limiting construction activities conducted below the highwater mark to daylight hours and limiting the extent of impacts to the affected wetland.

Modification of the existing Sportsman's Bridge FAS infrastructure may impact existing habitats located within the footprint of any necessary infrastructure changes. FWP would take care to maintain and manage existing natural vegetation and associated habitats located within the FAS, as well as impacts to the affected wetland, to the degree practical and such activities would be guided by applicable best practices, thereby ensuring protection of existing on-site natural habitats, and associated terrestrial, avian, and aquatic wildlife to the extent practical.

Further, any wildlife species displaced from the affected site(s) would likely re-locate, temporarily or long-term, to other nearby and suitable habitats. The project area is not a spawning location for westslope cutthroat or bull trout. Further, any traveling or migrating westslope cutthroat trout (*species of concern*) and bull trout (*threatened*) would have the opportunity to and likely would alter their travel and migration patterns to times when activity is not occurring or move elsewhere in the river to pass the site. The properties immediately surrounding the existing Sportsman's Bridge FAS are generally privately owned and characterized as rural, with natural vegetation, including similar riparian environments to those of the affected site(s). Therefore, any adverse direct impacts would be short-term, negligible to minor, and consistent with existing and historic impacts.

**Secondary Impacts:**

No significant adverse secondary impacts to terrestrial, avian, and aquatic life and habitats would be expected because of modifications to the existing FAS, as needed to accommodate MDT right-of-way requirements associated with the new Flathead River Bridge. However, some adverse secondary impacts from modification of the FAS, and the associated potential for loss of habitat, including wetland habitat to accommodate the new access road, may adversely impact certain plant and wildlife species.

All activities modifying the existing FAS would be guided by applicable best practices outlined by the guidance documents identified in Section 212 of MDT's Standards for Road and Bridge Construction Book. **(Appendix A 9)** This would ensure the preservation of local natural habitats in the affected area, to the extent practical, and offset certain adverse secondary impacts associated with habitat loss necessary to accommodate needed modifications to the existing FAS. Further, any impacts would be consistent with impacts already realized from the existing FAS. Overall, with consideration for planned reclamation activities and future habitat improvements at the existing Sportsman's Bridge FAS site, any adverse secondary impacts from the proposed project would be long-term, negligible to minor, consistent with existing impacts, and mitigated by reclamation of the existing FAS site. Any beneficial secondary impacts would be long-term and negligible to minor.

#### **Cumulative Impacts:**

No significant adverse cumulative impacts would be expected because of the modification of the existing FAS to accommodate MDT right-of-way requirements for the new Highway 82 Flathead River Bridge. However, under Alternative 3, cumulative impacts would occur. Pursuant to MEPA, because Alternative 3 is *related* to MDT's bridge replacement project, as cited and detailed in *Section IX, Cumulative Impacts Analysis*, any cumulative impacts from Alternative 3 must be considered in the context of all historic, current, and known future *related* actions. With consideration for potential impacts resulting from the modification of the existing FAS to accommodate MDT right-of-way requirements, no significant adverse cumulative impacts would be expected. Any adverse cumulative impacts would be short- and long-term, negligible to minor, consistent with existing impacts, and mitigated by best practices. Any beneficial cumulative impacts would be long-term, consistent with existing impacts, and negligible to minor.

Any future projects and associated cumulative impacts to the affected human environment would be assessed on a case-by-case basis pursuant to MEPA and other affected public processes and regulatory mechanisms, as applicable, prior to project approval and implementation. For a more detailed discussion of potential cumulative impacts associated with the proposed project see *Section IX, Cumulative Impacts Analysis*.

## **2. Water Quality, Quantity, and Distribution**

#### **Existing Environment/Baseline Conditions (No Action Alternative):**

The Flathead River flows directly past the existing Sportsman's Bridge FAS. The existing FAS is located approximately 2 miles north of the Flathead River confluence with Flathead Lake. Flathead Lake is the largest natural freshwater lake in the western US (by surface area) outside of Alaska. The upper Flathead River and Flathead Lake are described as *oligotrophic* which means lacking in plant nutrients, but monitoring at the Flathead Lake Biological Station or FLBS located in nearby Yellow Bay of Flathead Lake indicates that nutrient inputs to the lake are increasing. Flathead Lake's biological community is much different today than when the existing Sportsman's Bridge FAS was developed in 1959. Flathead Lake originally supported 11 native fish species, most notably westslope cutthroat trout and bull trout. Today, the fish community is more like the Great Lakes than rocky mountain lakes, as it is dominated by nonnatives, particularly lake trout and lake whitefish. Decreases in water quality have led federal and state agencies to classify Flathead Lake as "Impaired" due to human caused increases in nutrient and sediments, and to work on creating a long-term plan for water quality protection. For additional information related to the affected environment see *Section VII, General Setting of the Affected Environment*.

**Direct Impacts:**

No significant adverse direct impacts to water quality, quantity, and distribution would be expected because of modifications to the existing FAS necessary to accommodate MDT right-of-way requirements associated with MDT's Highway 82 Flathead River Bridge replacement project. However, some temporary, adverse direct impacts from the potential use of water to mitigate fugitive dust emissions resulting from the movement of vehicles and heavy equipment over exposed ground, as necessary to modify the existing Sportsman's Bridge FAS, may occur. Water from the Flathead River would likely be sourced for such purposes; therefore, some adverse impacts to water quantity and distribution in the affected area may be realized. However, the amount of water necessary for such mitigation practices would be limited by the relatively small footprint and short-term nature of necessary modifications. Therefore, any impacts to water quantity and distribution would be short-term and negligible.

Further, increased water turbidity caused by construction and development activities conducted in or near the adjacent upper Flathead River may occur. Prior to implementation, FWP would obtain all permits and other authorizations required by the federal and Montana Clean Water Act(s), which would require mitigation of such impacts. More specifically, the proposed project may require multiple permits pursuant to the federal and state Clean Water Act(s) (see Section IV and V of Final EA) and other authorizations to mitigate potential impacts to water quality from the proposed project. Therefore, any direct impacts to water quality would be short-term, lasting only as long as the construction period(s) for the necessary existing FAS modifications, minor, consistent with existing impacts, and mitigated by best practices and requirements of applicable permits and authorizations.

If Alternative 3 is implemented, MDT must obtain an easement for a new access road to the existing FAS from the affected HOA and otherwise modify certain infrastructure present at existing FAS to meet right-of-way requirements for the new bridge. The new access road to the existing FAS would necessarily cross an existing wetland, which would adversely impact the affected wetland habitat and any aquatic and terrestrial wildlife that locate or may use the affected wetland habitat.

**Secondary Impacts:**

No significant adverse secondary impacts to water quality, quantity, and distribution would be expected because of modifications to the existing FAS necessary to accommodate MDT right-of-way requirements associated with the new Flathead River Bridge. In fact, no secondary impacts to water distribution would be expected because no changes to water use at the existing FAS would occur.

If Alternative 3 is implemented, MDT must obtain an easement for a new access road to the existing FAS from the affected HOA and otherwise modify certain infrastructure present at the existing FAS to meet right-of-way requirements for the new bridge. The new access road to the existing FAS would necessarily cross an existing wetland, which would adversely impact water quality and quantity associated with the affected wetland habitat as well as any aquatic and terrestrial wildlife that locate or may use the affected wetland habitat. Overall, any secondary adverse impacts to the affected wetland from development and use of the new access road to the existing FAS would be long-term and minor to moderate.

No additional, new adverse secondary impacts to water quality, quantity, and distribution would be expected from human use of the modified Sportsman's Bridge FAS. More specifically, the launching and landing of motorized boats and other motorized and non-motorized watercraft at/from the modified FAS would be consistent with existing and already realized adverse impacts. Therefore, any adverse secondary impacts to water quality, quantity, and distribution associated with recreational use of the modified Sportsman's Bridge FAS would be long-term and none to moderate.

### Cumulative Impacts:

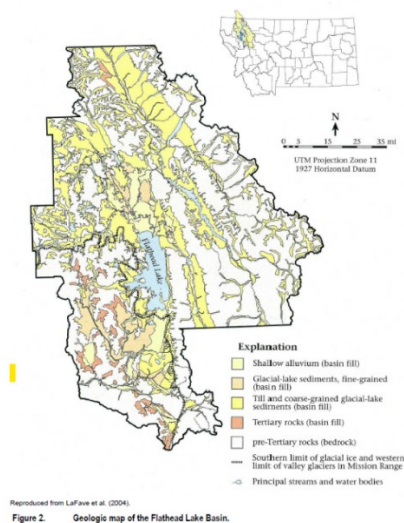
No significant adverse cumulative impacts would be expected because of the modification of the existing FAS to accommodate MDT right-of-way requirements for the new Highway 82 Flathead River Bridge. However, under Alternative 3, cumulative impacts would occur. Pursuant to MEPA, because Alternative 3 is *related* to MDT's bridge replacement project, as cited and detailed in *Section IX, Cumulative Impacts Analysis*, any cumulative impacts from Alternative 3 must be considered in the context of all historic, current, and known future *related* actions. With consideration for potential impacts resulting from the modification of the existing FAS to accommodate MDT right-of-way requirements, no significant adverse cumulative impacts would be expected. Any adverse cumulative impacts would be short- and long-term, negligible to minor, consistent with existing impacts, and mitigated by best practices. Any beneficial cumulative impacts would be long-term, consistent with existing impacts, and negligible to minor.

Any future projects and associated cumulative impacts to the affected human environment would be assessed on a case-by-case basis pursuant to MEPA and other affected public processes and regulatory mechanisms, as applicable, prior to project approval and implementation. For a more detailed discussion of potential cumulative impacts associated with the proposed project see *Section IX, Cumulative Impacts Analysis*.

## 3. Geology

### Existing Environment/Baseline Conditions (No Action Alternative):

The existing FAS lays in the Flathead Lake basin which is characterized by north-trending mountain ranges separated by down-dropped intermontane valleys. Metasedimentary rocks of the Belt Supergroup form the mountains and underlie the valleys. The intermontane valleys are filled with thick sequences of Tertiary sediments, unconsolidated glacial or glacial-lake deposits and post-glacial alluvial sediments. Since the retreat of glacial ice, modern streams have deposited alluvium along their channels and floodplains. Most stream valleys in the area are lined with alluvial materials that range from 10 to several 10's of feet in thickness. See below geological map categorizing the area as shallow alluvium. (LaFave et al (2004)). For additional information related to the affected environment see *Section VII, General Setting of the Affected Environment*.



**Figure 7. Flathead Lake basin**

### Direct Impacts:

No significant adverse direct impacts to geology would be expected because of the proposed project. If Alternative 3 is implemented, MDT must obtain an easement for a new access road to the existing FAS

and otherwise modify certain infrastructure present at the existing FAS to meet right-of-way requirements for the new bridge. The new access road to the existing FAS would necessarily cross an existing wetland. However, no impacts to geology would be expected because of the new access road. No unique or important geologic features exist within the existing Sportsman's Bridge FAS site and modification of the FAS site to accommodate MDT right-of-way requirements associated with the new Flathead River Bridge would not result in any new impacts to existing geology. Therefore, no impacts to geology would be expected from modification of the existing FAS.

**Secondary Impacts:**

No significant adverse secondary impacts to geology would be expected because of the proposed project. Modification of the existing FAS may require removal of existing, and development of new, FAS infrastructure including boat ramps, access roads, parking lots, latrines, and other FAS infrastructure. However, most activities would occur within the existing footprint of the existing FAS. Modification of such infrastructure would require ground disturbance and the potential to adversely impact geologic features located within the affected sites. However, no unique or important geologic features exist within the existing Sportsman's Bridge FAS site. Therefore, no secondary impacts to geology in the affected area would be expected from modification of the existing FAS.

**Cumulative Impacts:**

No significant adverse cumulative impacts would be expected because of the modification of the existing FAS to accommodate MDT right-of-way requirements for the new Highway 82 Flathead River Bridge. However, under Alternative 3, cumulative impacts would occur. Pursuant to MEPA, because Alternative 3 is *related* to MDT's bridge replacement project, as cited and detailed in *Section IX, Cumulative Impacts Analysis*, any cumulative impacts from Alternative 3 must be considered in the context of all historic, current, and known future *related* actions. With consideration for potential impacts resulting from the modification of the existing FAS to accommodate MDT right-of-way requirements, no significant adverse cumulative impacts would be expected. Any adverse cumulative impacts would be short- and long-term, negligible to minor, consistent with existing impacts, and mitigated by best practices. Any beneficial cumulative impacts would be long-term, consistent with existing impacts, and negligible to minor.

Any future projects and associated cumulative impacts to the affected human environment would be assessed on a case-by-case basis pursuant to MEPA and other affected public processes and regulatory mechanisms, as applicable, prior to project approval and implementation. For a more detailed discussion of potential cumulative impacts associated with the proposed project see *Section IX, Cumulative Impacts Analysis*.

#### **4. Soil Quality, Stability, and Moisture**

**Existing Environment/Baseline Conditions (No Action Alternative):**

The proposed site is located in close proximity to the USDA Flathead Soils Series location SW of NW Sec. 20,T. 29 N., R. 20 W. USDA Flathead series consists of deep, well drained soils that formed in glacial outwash or alluvium. Flathead soils are used mainly as cropland. Potential native vegetation is mainly bluebunch wheatgrass, needle and thread, rough fescue, and fringed sagewort. The Flathead soils are on fans and terraces. Elevations are 2,600 to 3,400 feet. Slopes are 0 to 25 percent. These soils formed in outwash and alluvium. Taxonomic class of Coarse-loamy, mixed, superactive, frigid Pachic Haplustolls.

The climate is characterized by long, cold winters, moist springs and falls, and warm summers. Mean annual precipitation is 15 to 19 inches. Mean annual temperature is 40 to 45 degrees F. The frost-free period is 100 to 120 days.

Soils 0 to 24 inches described as very dark grayish brown (10YR 3/2) fine sandy loam, very dark brown (10YR 2/2) moist; moderate fine granular structure in the upper part grading to weak coarse prismatic in the lower part; soft, very friable, nonsticky and nonplastic; many fine roots, few fine pores; neutral (pH 7.2); clear smooth boundary. (16 to 30 inches thick)

Soils 24 to 34 inches; brown (7.5YR 4/2) fine sandy loam; dark brown (7.5YR 3/2) moist; weak coarse prismatic structure parting to weak medium subangular blocky; soft, very friable, nonsticky and nonplastic; many fine roots, few medium pores; neutral (pH 7.2); gradual smooth boundary. (8 to 12 inches thick)

Soils 34 to 44 inches; pale brown (10YR 6/3) loamy fine sand, brown (10YR 4/3) moist; weak coarse subangular blocky structure; soft, very friable, nonsticky and nonplastic; slightly alkaline (pH 7.4); clear smooth boundary. (6 to 10 inches thick)

Soils 44 to 60 inches; pale brown (10YR 6/3) loamy fine sand, brown (10YR 5/3) moist; single grained; soft, very friable, nonsticky and nonplastic; common fine soft masses of lime; strongly effervescent; moderately alkaline (pH 8.2).

For additional information related to the affected environment see *Section VII, General Setting of the Affected Environment*.

#### **Direct Impacts:**

No significant adverse direct impacts to soil quality, stability, and moisture would be expected because of the modification of the existing FAS to accommodate MDT right-of-way requirements for the new Flathead River Bridge. However, some construction activities associated with required modifications may directly and adversely impact soils in the affected area due to soil compaction. More specifically, construction activities associated with the proposed project would directly impact existing soil and associated vegetation by disturbing the area to accommodate the needed modifications.

If Alternative 3 is implemented, MDT must obtain an easement for a new access road to the existing FAS and otherwise modify certain infrastructure present at existing FAS to meet right-of-way requirements for the new bridge. The new access road to the existing FAS would necessarily cross an existing wetland, which would directly and adversely impact the affected wetland and associated soils within the existing wetland habitat. Any adverse direct impacts to soils would be short-term and minor to moderate.

#### **Secondary Impacts:**

No significant adverse secondary impacts to soil quality, stability, and moisture would be expected because of the modification of the existing FAS to accommodate MDT right-of-way requirements for the new Flathead River Bridge. Most of the existing FAS's grounds are/have been disturbed by previous development project(s) and subsequent human use of the site. If currently undisturbed areas are modified, soil moisture content in the affected area may be reduced by the necessary conversion of the existing undisturbed ground to a compacted gravel surface suitable for the parking area, access road, vault latrine, and boat ramp. Soil stability would also be affected. Compaction of soils to accommodate modified FAS amenities would be necessary for only a small percentage of the overall footprint of the affected site and the remainder of the affected site would remain intact.

If Alternative 3 is implemented, MDT must obtain an easement for a new access road to the existing FAS and otherwise modify certain infrastructure present at existing FAS to meet right-of-way requirements for the new bridge. The new access road to the existing FAS would necessarily cross an existing wetland, which would adversely impact the affected wetland and associated soils within the existing wetland

habitat. Any adverse secondary impacts to soils would be short-term and minor to moderate. Therefore, overall, any adverse secondary impacts would be long-term and minor to moderate.

**Cumulative Impacts:**

No significant adverse cumulative impacts would be expected because of the modification of the existing FAS to accommodate MDT right-of-way requirements for the new Highway 82 Flathead River Bridge. However, under Alternative 3, cumulative impacts would occur. Pursuant to MEPA, because Alternative 3 is *related* to MDT's bridge replacement project, as cited and detailed in *Section IX, Cumulative Impacts Analysis*, any cumulative impacts from Alternative 3 must be considered in the context of all historic, current, and known future *related* actions. With consideration for potential impacts resulting from the modification of the existing FAS to accommodate MDT right-of-way requirements, no significant adverse cumulative impacts would be expected. Any adverse cumulative impacts would be short- and long-term, negligible to minor, consistent with existing impacts, and mitigated by best practices. Any beneficial cumulative impacts would be long-term, consistent with existing impacts, and negligible to minor.

Any future projects and associated cumulative impacts to the affected human environment would be assessed on a case-by-case basis pursuant to MEPA and other affected public processes and regulatory mechanisms, as applicable, prior to project approval and implementation. For a more detailed discussion of potential cumulative impacts associated with the proposed project see *Section IX, Cumulative Impacts Analysis*.

## 5. Vegetation Cover, Quantity, and Quality

**Existing Environment/Baseline Conditions (No Action Alternative):**

The existing Sportsman's Bridge FAS sits on a six-acre property and had been developed for recreational use with an access road, parking area, boat launches, vault latrine and regulatory signs. The developed area occupies about three acres of the property. The undeveloped area consists of wetlands, open space, and timbered lands primarily cottonwood and aspen. For additional information related to the affected environment see *Section VII, General Setting of the Affected Environment*.

**Direct Impacts:**

No significant adverse direct impacts to vegetation cover, quantity, and quality would be expected because of the modification of the existing FAS to accommodate MDT right-of-way requirements for the new Flathead River Bridge. Construction activities associated with modifications to the existing site would have long-term, minor, adverse direct impacts to existing vegetation, if necessary, by disturbing the area to accommodate the required changes to the existing FAS. More specifically, removal of existing vegetation may be necessary to accommodate the modification of existing or construction of new FAS infrastructure at the existing FAS. However, removal of existing vegetation to accommodate the proposed access road and FAS amenities would be necessary for only a small percentage of the overall footprint of the existing FAS and the remainder of the affected site would remain intact. Therefore, any adverse direct impacts would be short-term and moderate.

**Secondary Impacts:**

No significant adverse secondary impacts to vegetation cover, quantity, and quality would be expected because of the modification of the existing FAS to accommodate MDT right-of-way requirements for the new Flathead River Bridge. Removal of existing vegetation would be necessary to accommodate the modification of existing, or construction of new, FAS infrastructure at the existing FAS. All areas disturbed to accommodate the action would be replanted with native vegetation. Disturbed areas would be subject to increased risk of invasion by noxious weeds. Those areas would be monitored and treated

by FWP staff in accordance with FWP's Statewide Integrated Noxious Weed Management Plan. Therefore, any adverse secondary impacts would be long-term and minor.

**Cumulative Impacts:**

No significant adverse cumulative impacts would be expected because of the modification of the existing FAS to accommodate MDT right-of-way requirements for the new Highway 82 Flathead River Bridge. However, under Alternative 3, cumulative impacts would occur. Pursuant to MEPA, because Alternative 3 is *related* to MDT's bridge replacement project, as cited and detailed in *Section IX, Cumulative Impacts Analysis*, any cumulative impacts from Alternative 3 must be considered in the context of all historic, current, and known future *related* actions. With consideration for potential impacts resulting from the modification of the existing FAS to accommodate MDT right-of-way requirements, no significant adverse cumulative impacts would be expected. Any adverse cumulative impacts would be short- and long-term, negligible to minor, consistent with existing impacts, and mitigated by best practices. Any beneficial cumulative impacts would be long-term, consistent with existing impacts, and negligible to minor.

Any future projects and associated cumulative impacts to the affected human environment would be assessed on a case-by-case basis pursuant to MEPA and other affected public processes and regulatory mechanisms, as applicable, prior to project approval and implementation. For a more detailed discussion of potential cumulative impacts associated with the proposed project see *Section IX, Cumulative Impacts Analysis*.

## 6. Aesthetics

**Existing Environment/Baseline Conditions (No Action Alternative):**

The existing Sportsman's Bridge FAS sits on a six-acre property and had been developed for recreational use with an access road, parking area, boat launches, vault latrine and regulatory signs. The developed area occupies about three acres of the property. The other three acres remain undeveloped open space with trees and wetlands throughout. For additional information related to the affected environment see *Section VII, General Setting of the Affected Environment*.

**Direct Impacts:**

No significant adverse direct impacts to aesthetics would be expected because of the modification of the existing FAS to accommodate MDT right-of-way requirements for the new Flathead River Bridge. However, some adverse direct impacts may result from the modification of existing FAS infrastructure. Infrastructure such as access roads, parking areas, latrine, and signs would continue to be visible on the site. Such impacts would be limited to the existing FAS property, as changed by MDT's required right-of-way restrictions and the remaining area would remain the same. Therefore, any adverse direct impacts would be long-term and minor.

**Secondary Impacts:**

No significant adverse secondary impacts to aesthetics would be expected because of the modification of the existing FAS to accommodate MDT right-of-way requirements for the new Flathead River Bridge. The action would modify recreational infrastructure to facilitate use of the site including a new access road off of Hanging Rock Road. People using the modified site and their vehicles would continue to be visible from the highway and neighboring properties. Further, because the modified site would be used for the same recreational purposes, any aesthetic impacts would be consistent with existing impacts. Therefore, any adverse direct impacts would long-term, minor to moderate, and consistent with existing impacts.

**Cumulative Impacts:**

No significant adverse cumulative impacts would be expected because of the modification of the existing FAS to accommodate MDT right-of-way requirements for the new Highway 82 Flathead River Bridge. However, under Alternative 3, cumulative impacts would occur. Pursuant to MEPA, because Alternative 3 is *related* to MDT's bridge replacement project, as cited and detailed in *Section IX, Cumulative Impacts Analysis*, any cumulative impacts from Alternative 3 must be considered in the context of all historic, current, and known future *related* actions. With consideration for potential impacts resulting from the modification of the existing FAS to accommodate MDT right-of-way requirements, no significant adverse cumulative impacts would be expected. Any adverse cumulative impacts would be short- and long-term, negligible to minor, consistent with existing impacts, and mitigated by best practices. Any beneficial cumulative impacts would be long-term, consistent with existing impacts, and negligible to minor.

Any future projects and associated cumulative impacts to the affected human environment would be assessed on a case-by-case basis pursuant to MEPA and other affected public processes and regulatory mechanisms, as applicable, prior to project approval and implementation. For a more detailed discussion of potential cumulative impacts associated with the proposed project see *Section IX, Cumulative Impacts Analysis*.

## 7. Air Quality

**Existing Environment/Baseline Conditions (No Action Alternative):**

According to DEQ's Air Quality Bureau, air quality in the area affected by Alternative 3 is currently unclassifiable or in compliance with applicable national ambient air quality standards (NAAQS). No significant point-sources of air pollution exist in the area affected by the proposed project. Existing sources of air pollution in the area are limited and generally include fugitive dust associated with high wind events and exposed ground, vehicle travel on paved and unpaved roads (fugitive dust), vehicle exhaust emissions, and various agricultural practices (vehicle exhaust emissions and fugitive dust).

Four areas in the general vicinity of Flathead Lake have historically exceeded the NAAQS for particulate matter less than or equal to 10 microns in aerodynamic diameter (PM<sub>10</sub>) but have since attained the PM<sub>10</sub> NAAQS under requirements contained in air quality maintenance plans required by Montana's Air Quality State Implementation Plan or SIP. These nearby PM<sub>10</sub> Maintenance Areas include the following: Whitefish, Columbia Falls, and Kalispell. In addition, the town of Polson is currently classified as a PM<sub>10</sub> nonattainment area. Therefore, Montana's SIP includes requirements applicable to sources of PM<sub>10</sub> located within or near (~ 2 km) the Polson PM<sub>10</sub> nonattainment area boundary. Because the proposed project would not be located within or near the affected existing PM<sub>10</sub> Maintenance Areas or the PM<sub>10</sub> Nonattainment Area, no air quality restrictions currently exist for the area affected by the proposed project. For additional information related to the affected environment see *Section VII, General Setting of the Affected Environment*.

**Direct Impacts:**

No significant adverse direct impacts to air quality would be expected because of Alternative 3. Air quality in the area affected by Alternative 3 is currently unclassifiable or in compliance with all applicable NAAQS. Therefore, no air quality restrictions currently exist for the area affected by Alternative 3. Existing sources of air pollution in the area are limited and generally include fugitive dust associated with high wind events and exposed ground, vehicle travel on unpaved roads (fugitive dust), vehicle exhaust emissions, and various agricultural practices (vehicle exhaust emissions and fugitive dust).

The affected area represents and supports the purpose of an existing recreational resource (i.e., FAS) and is located adjacent to Highway 82 and the associated Highway 82 Flathead River Bridge. Therefore, the presence of people recreating and vehicles traveling along Highway 82 and across the Flathead River Bridge constitutes a regular occurrence and source of air quality pollutants (vehicle exhaust emissions and fugitive dust). Vehicles and heavy equipment would be used for any needed modification of the existing Sportsman's Bridge FAS. Fugitive dust emissions would be generated during the construction phase of the project due to heavy equipment travel/hauling over unpaved roads and any ground disturbance necessary to modify the existing Sportsman's Bridge FAS.

Combustion of fossil fuels to operate vehicles and heavy equipment used to modify the site would also generate vehicle exhaust emissions (primarily CO, PM<sub>2.5</sub>, and ground level O<sub>3</sub>). Because the affected site is located within the Highway 82 corridor adjacent to the existing Sportsman's Bridge any such adverse impacts would be consistent with existing and historic impacts to the affected area. Further, the construction phase of the project would be short-term, and the number of vehicles and heavy equipment needed to complete construction activities would be limited. Therefore, any adverse direct impacts to air quality would be short-term, negligible, consistent with existing impacts, and mitigated by dust control practices associated with the deconstruction and construction activities, as necessary. Modification of the existing FAS would not be expected to cause or significantly contribute to a NAAQS violation in the currently unclassified area.

**Secondary Impacts:**

No significant adverse secondary impacts to air quality would be expected because of Alternative 3. Following construction activities associated with modification of the existing FAS, ongoing adverse impacts to air quality may be realized from use of the modified FAS. Vehicles using the site would generate fugitive dust in the immediate area. FWP staff would monitor fugitive dust levels and may apply dust control measures if deemed appropriate and necessary. Therefore, any adverse secondary impacts to air quality would be short-term, negligible to minor, and consistent with existing impacts. Modification of the existing FAS would not be expected to cause or significantly contribute to a NAAQS violation in the currently unclassified area.

**Cumulative Impacts:**

No significant adverse cumulative impacts would be expected because of the modification of the existing FAS to accommodate MDT right-of-way requirements for the new Highway 82 Flathead River Bridge. However, under Alternative 3, cumulative impacts would occur. Pursuant to MEPA, because Alternative 3 is *related* to MDT's bridge replacement project, as cited and detailed in *Section IX, Cumulative Impacts Analysis*, any cumulative impacts from Alternative 3 must be considered in the context of all historic, current, and known future *related* actions. With consideration for potential impacts resulting from the modification of the existing FAS to accommodate MDT right-of-way requirements, no significant adverse cumulative impacts would be expected. Any adverse cumulative impacts would be short- and long-term, negligible to minor, consistent with existing impacts, and mitigated by best practices. Any beneficial cumulative impacts would be long-term, consistent with existing impacts, and negligible to minor.

Any future projects and associated cumulative impacts to the affected human environment would be assessed on a case-by-case basis pursuant to MEPA and other affected public processes and regulatory mechanisms, as applicable, prior to project approval and implementation. For a more detailed discussion of potential cumulative impacts associated with the proposed project see *Section IX, Cumulative Impacts Analysis*.

## 8. Unique, Endangered, Fragile, or Limited Environmental Resources

### **Existing Environment/Baseline Conditions (No Action Alternative):**

Among the plant species confirmed, suspected, or possibly found in the affected area, 5 species are listed by the state of Montana as *species of concern* (**Table 7**). Approximately 20 Montana fish and wildlife *Species of Concern* have been documented using the property, have potential habitat on the property or occupy immediately adjacent waters including westslope cutthroat trout, bull trout, and lands including little brown bat, pileated woodpecker, varied thrush and oblique ambersnail (**Table 6**). (Montana Natural Heritage Program [MTNHP] data, 26 February 2024). Furthermore, the USFWS lists the following ESA-*threatened* and/or *endangered* species and/or their critical habitat within the affected area: bull trout, grizzly bear, Spalding's campion, Canada lynx, red knot, yellow-billed cuckoo, wolverine, meltwater lednian stonefly, and whitebark pine. ESA listed grizzly bears, bull trout, and yellow-billed cuckoo, as well as ESA-delisted bald eagles may potentially use the affected area. For additional information related to the affected environment see *Section VII, General Setting of the Affected Environment*.

### **Direct Impacts:**

No significant adverse direct impacts to unique, endangered, fragile, or limited environmental resources would be expected because of the proposed project. The presence of any animal and/or plant species of concern, species of special status, species federally listed as *threatened* or *endangered*, or any lands classified as important or critical habitat located within or near the affected area were assessed through the Montana Natural Heritage Program and FHWA in consultation with the USFWS. As noted above under the section titled "Existing Environment/Baseline Conditions (No Action Alternative)," 20 wildlife *species of concern*, including five plant *species of concern* have been identified within or within the vicinity of the proposed site.

Also, In April 2022 MDT and FHWA issued a Biological Assessment for the proposed Flathead River—3 M NW Big Fork (BR 82-1(5)5; UPN 6850000) project (bridge replacement, including FAS). On October 26, 2022, the USFWS published a Biological Opinion regarding the effects of the proposed project. The biological assessment analyzed the effects of the proposed action on the federally *threatened* bull trout (*Salvelinus confluentus*) and bull trout critical habitat, grizzly bear (*Ursus arctos horribilis*), and yellow-billed cuckoo (*Coccyzus americanus*). The FHWA made a determination of *may affect, likely to adversely affect* for bull trout and bull trout critical habitat, and *may affect, not likely to adversely affect* determination(s) for grizzly bear and yellow-billed cuckoo. The ESA-listed Spalding's campion, Canada lynx, red knot, wolverine, and meltwater lednian stonefly would not be expected to use the affected site or be impacted by the project.

Flathead Lake and the upper Flathead River are designated as critical habitat for Bull Trout. Critical Habitat is defined as:

- (1) The specific areas within the geographical area occupied by the species, at the time it was listed in accordance with the Act, on which are found those physical or biological features essential to the conservation of the species, and which may require special management considerations or protection.
- (2) The specific areas outside the geographical area occupied by the species at the time it is listed, upon a determination that such areas are essential for the conservation of the species.

In the US Fish and Wildlife Service rule published in the Federal Register on 1/14/2010, Critical habitat designation provides additional protection to habitat only where there is a federal nexus; (2) the protection is relevant only when, in the absence of designation, destruction or adverse modification of the critical habitat would in fact take place ... and (3) designation of critical habitat triggers the prohibition of destruction or adverse modification of that habitat, but it does not require specific actions to restore or improve habitat. Flathead Lake and Flathead River are located within the Columbia Headwaters unit and provide spawning, rearing, foraging, migratory, connecting, and overwintering habitat for bull trout.

Because the affected area has historically been used for human travel and recreational purposes any direct impacts to unique, endangered, fragile, or limited environmental resources or critical habitat located within or periodically using the affected area, including the identified species of concern, species of special concern, ESA-delisted, and ESA-listed species, would be consistent with current and historic impacts.

FWP would adhere to all applicable requirements related to management, preservation, and recovery of listed species as outlined by the federal ESA and applicable state guidance. These practices would support limiting potential adverse direct impacts to the identified unique, endangered, fragile, or limited environmental resources and critical habitats as well as many other wildlife species located within or periodically using the new site. Therefore, any adverse direct impacts to wildlife, including any *species of concern*, *species of special concern*, ESA-listed species, and/or ESA-delisted species would be short-term, negligible to minor, and consistent with historic impacts.

#### **Secondary Impacts:**

No significant adverse secondary impacts to unique, endangered, fragile, or limited environmental resources would be expected because of the modification of the existing FAS to accommodate MDT right-of-way requirements for the new Flathead River Bridge. The Biological Assessment prepared by MDT and FHWA issued in April 2022 analyzed the effects of the action on the federally threatened bull trout (*Salvelinus confluentus*) and bull trout critical habitat, grizzly bear (*Ursus arctos horribilis*), and yellow-billed cuckoo (*Coccyzus americanus*). The FHWA made a determination of *may affect, likely to adversely affect* for bull trout and bull trout critical habitat, and *may affect, not likely to adversely affect* determination(s) for grizzly bear and yellow-billed cuckoo. In their Biological Opinion issued on October 26, 2022, the USFWS concurred with FHWA's determination that the proposed project *may affect, not likely to adversely affect* the threatened grizzly bear and yellow-billed cuckoo. Further, the USFWS concluded that implementation of this project, including the FAS, is ***not likely to appreciably reduce survival, recovery, or the continued existence*** of bull trout locally, at the scale of the Columbia Headwaters Recovery Unit, and by extension, the coterminous United States Population of bull trout. FWP also concurs; therefore, any adverse secondary impacts to the affected ESA-listed species would be negligible to minor. The ESA-listed Spalding's champion, Canada lynx, red knot, wolverine, and meltwater lednian stonefly would not be expected to use the affected site or be impacted by the project.

For the purposes of wildlife species listed as *threatened* or *endangered* under the federal ESA, MEPA considers a "take" to constitute a significant adverse impact. Specific to the ESA-listed *Threatened* grizzly bear, bull trout, and yellow-billed cuckoo, the ESA defines "take" as follows: to harass, harm, pursue, hunt, shoot, wound, kill, trap, capture, or collect or to attempt to engage in any such conduct. 16 U.S.C. 1542(b). The term *harm* in the definition of 'take' means an act which actually kills or injures wildlife. Such an act may include *significant habitat modification or degradation* where it actually kills or injures wildlife by significantly impairing essential behavior patterns, including breeding, feeding, or sheltering." 50 C.F.R. § 17.3.

To find that habitat modification under Alternative 3 constitutes a taking of listed species under the federal definition of *harm*, all aspects of the *harm* definition must be triggered. Therefore, for the purposes of Alternative 3, the following conditions must all be met for a *taking* or a *significant adverse impact* to occur to the *threatened* grizzly bear, the *threatened* North American wolverine, the *threatened* Canada lynx, and the *threatened* bull trout (USFWS, FWS/AES/067974, April 26, 2018):

- Is the modification of habitat significant? No. Alternative 3 would be planned and implemented in response to MDT's functional replacement of the existing Highway 82 Sportsman's Bridge per 23 CFR 710.509. Under Alternative 3, various modifications to the existing FAS, including an easement from the affected HOA, would be required to accommodate.

Alternative 3 would be expected to result in impacts to the affected area. Any such impacts would be short-term, lasting only as long as the construction phase of Alternative 3. Further, Alternative 3 would occur in an area currently used for travel and recreational purposes (i.e., existing highway 82 Sportsman's Bridge and FAS). Therefore, any adverse secondary impacts to the affected area and associated habitats would be consistent with existing habitats and thus negligible to minor.

- If so, does that modification also significantly impair an essential behavior pattern of an ESA-listed species? No. Alternative 3 would not significantly and adversely impact the habitat(s) of the affected ESA-listed threatened species (see above). The proposed projects would take place within or adjacent to the existing Highway 82 corridor, which, by design, currently and historically has experienced a high level of human use for travel and recreational purposes. Further, any adverse impacts from replacement of the existing Highway 82 Sportsman's Bridge (MDT) and the modification of the existing Sportsman's Bridge FAS would be consistent with impacts that have been realized since initial development of the existing bridge and FAS. Therefore, because the affected area is currently, and would continue to experience a high-level of human use, no adverse secondary impacts to the behavioral patterns of any of the affected ESA-listed species would be expected because of Alternative 3.
- If so, is the significant modification of the habitat, with a significant impairment of an essential behavior pattern, likely to result in the actual killing or injury of wildlife? No. Alternative 3 would not be expected to result in a significant modification of existing habitat, would not be expected to significantly impair an essential behavior pattern, and thus would not be expected to kill or injure any of the affected ESA-listed *threatened* species.

Similar to conclusions made for the ESA-listed species, as discussed above, because the affected area currently experiences, and would continue to experience, a high-level of human use, the affected ESA-listed species and state-listed *species of concern* would be unlikely to use the affected area in its current state or following completion of the proposed modifications. Further, any ESA-listed species or state-listed *species of concern* that do use the affected area for part of their life cycle would experience the same or similar impacts pre- and post-project. Therefore, no significant adverse secondary impacts to any of the identified ESA-listed *threatened* species, ESA-listed species, or state-listed *species of concern* that use or may use the affected area would be expected because of the proposed project.

#### **Cumulative Impacts:**

No significant adverse cumulative impacts would be expected because of the modification of the existing FAS to accommodate MDT right-of-way requirements for the new Highway 82 Flathead River Bridge. However, under Alternative 3, cumulative impacts would occur. Pursuant to MEPA, because

Alternative 3 is *related* to MDT's bridge replacement project, as cited and detailed in *Section IX, Cumulative Impacts Analysis*, any cumulative impacts from Alternative 3 must be considered in the context of all historic, current, and known future *related* actions. With consideration for potential impacts resulting from the modification of the existing FAS to accommodate MDT right-of-way requirements, no significant adverse cumulative impacts would be expected. Any adverse cumulative impacts would be short- and long-term, negligible to minor, consistent with existing impacts, and mitigated by best practices. Any beneficial cumulative impacts would be long-term, consistent with existing impacts, and negligible to minor.

Any future projects and associated cumulative impacts to the affected human environment would be assessed on a case-by-case basis pursuant to MEPA and other affected public processes and regulatory mechanisms, as applicable, prior to project approval and implementation. For a more detailed discussion of potential cumulative impacts associated with the proposed project see *Section IX, Cumulative Impacts Analysis*.

## 9. Historical and Archaeological Sites

### **Existing Environment/Baseline Conditions (No Action Alternative):**

No historical sites are recorded on the site of the existing FAS. The affected area was surveyed by Montana Department of Transportation Archaeologist Laura Evilsizer in October 2023. For additional information related to the affected environment see *Section VII, General Setting of the Affected Environment*.

### **Direct Impacts:**

No significant adverse direct impacts to historic and archaeological sites would be expected because of the modification of the existing FAS to accommodate MDT right-of-way requirements for the new Flathead River Bridge. According to the applicable requirements of § 22-3-433, MCA, construction and other ground disturbing activities associated with the project would require consultation with the State Historical Preservation Office or SHPO. In keeping with the Montana Antiquities Act and related regulations (12.8.501-12.8.510), all undertakings on state lands are assessed by a qualified archaeologist for their potential to affect cultural resources. The process for this assessment may include a cultural resource inventory and evaluation of cultural resources within or near the project area, in consultation with the State Historic Preservation Office (SHPO). FWP also consults with all Tribal Historic Preservation Offices (THPO) affiliated with each affected property in accordance with FWP's Tribal Consultation Guidelines. If cultural resources within or near the project area are recorded that are eligible for the National Register of Historic Places, they will be protected from adverse effects through adjustments to the project design or cancellation of the project if no design alternatives are available. If cultural resources are unexpectedly discovered during project implementation, FWP will cease implementation, and contact FWP's Heritage Program and/or SHPO and affected THPOs for further evaluation.

In October 2023, a cultural resource inventory of the affected area was conducted by Montana Department of Transportation archaeologist Laura Evilsizer. The cultural resource inventory did not record any cultural resources on the existing FAS site. The cultural resource inventory report was sent to the State Historic Preservation Office and the Tribal Historic Preservation Offices of the Confederated Salish and Kootenai Tribes and the Blackfeet Nation for consultation. No direct impacts to cultural resources (historical and/or archaeological sites) would be expected because of the proposed project.

### **Secondary Impacts:**

No significant adverse secondary impacts to historic and archaeological sites would be expected because of the modification of the existing FAS to accommodate MDT right-of-way requirements for the new Flathead River Bridge. In keeping with the Montana Antiquities Act and related regulations (12.8.501-

12.8.510), all undertakings on state lands are assessed by a qualified archaeologist or historian for their potential to affect cultural resources. The process for this assessment may include a cultural resource inventory and evaluation of cultural resources within or near the project area, in consultation with the SHPO. FWP also consults with all THPOs affiliated with each affected property in accordance with FWP's Tribal Consultation Guidelines. If cultural resources within or near the project area are recorded that are eligible for the National Register of Historic Places, they will be protected from adverse effects through adjustments to the project design or cancellation of the project if no design alternatives are available. If cultural resources are unexpectedly discovered during project implementation, FWP will cease implementation, and contact FWP's Heritage Program and/or SHPO and affected THPOs for further evaluation. Therefore, no adverse secondary impacts would be expected because of the proposed project.

**Cumulative Impacts:**

No significant adverse cumulative impacts would be expected because of the modification of the existing FAS to accommodate MDT right-of-way requirements for the new Highway 82 Flathead River Bridge. However, under Alternative 3, cumulative impacts would occur. Pursuant to MEPA, because Alternative 3 is *related* to MDT's bridge replacement project, as cited and detailed in *Section IX, Cumulative Impacts Analysis*, any cumulative impacts from Alternative 3 must be considered in the context of all historic, current, and known future *related* actions. With consideration for potential impacts resulting from the modification of the existing FAS to accommodate MDT right-of-way requirements, no significant adverse cumulative impacts would be expected. Any adverse cumulative impacts would be short- and long-term, negligible to minor, consistent with existing impacts, and mitigated by best practices. Any beneficial cumulative impacts would be long-term, consistent with existing impacts, and negligible to minor.

Any future projects and associated cumulative impacts to the affected human environment would be assessed on a case-by-case basis pursuant to MEPA and other affected public processes and regulatory mechanisms, as applicable, prior to project approval and implementation. For a more detailed discussion of potential cumulative impacts associated with the proposed project see *Section IX, Cumulative Impacts Analysis*.

## **10. Demands on Environmental Resources of Land, Water, Air, and Energy**

**Existing Environment/Baseline Conditions (No Action Alternative):**

The existing Sportsman's Bridge FAS sits on a six-acre property that is bordered by Highway 82 on one side, the Flathead River on one side, and private property on two sides. The existing recreational infrastructure occupies approximately three acres, and the rest remains undeveloped open space occupied by trees and wetlands. No water or electricity is provided on-site. For additional information related to the affected environment see *Section VII, General Setting of the Affected Environment*.

**Direct Impacts:**

No significant adverse direct impacts to demands on environmental resources of land, water, air, and energy would be expected because of the modification of the existing FAS to accommodate MDT right-of-way requirements for the new Flathead River Bridge. As identified previously through the analyses of potential direct impacts to terrestrial, avian, and aquatic life and habitats; water quality, quantity, and distribution; soil quality, stability, and moisture; air quality; some adverse direct impacts to the environmental resources of water, land, and air may occur because of the project. Alternative 3 would modify existing recreational infrastructure including access roads, parking areas, a boat ramp, latrine, and signs. Therefore, minor to moderate impacts to the environmental resources of land and water would be expected because of Alternative 3. Further, some short-term, negligible to minor adverse direct impacts to air quality may be realized during the construction phase of the project; however, no

ongoing adverse impacts or demands for air or impacts to air quality would occur because of the project.

Fuel would be required to operate equipment and vehicles used to modify the existing FAS. However, any adverse direct impacts or demands for energy resources would be short-term and negligible, as the project and associated construction activities are relatively small, and the construction phase would be relatively short. Therefore, the amount of fuel necessary to complete the proposed project would be minimal. No other direct demands or impacts on the environmental resources of land, water, air, and energy would be expected because of the modification of the existing FAS to accommodate MDT right-of-way requirements for the Flathead River Bridge replacement project.

**Secondary Impacts:**

No significant adverse secondary impacts to demands on environmental resources of land, water, air, and energy would be expected because of the modification of the existing FAS to accommodate MDT right-of-way requirements for the Flathead River Bridge replacement project. As identified previously through the analyses of potential secondary impacts to terrestrial, avian, and aquatic life and habitats; water quality, quantity, and distribution; soil quality, stability, and moisture; and air quality, some adverse impacts to the environmental resources of water, land, and air may occur because of the project. However, as noted previously, any such impacts would be short- and long-term, negligible to moderate, and adequately mitigated. Therefore, no significant adverse secondary impacts to the environmental resources of land, water, air, and energy would be expected because of Alternative 3.

**Cumulative Impacts:**

No significant adverse cumulative impacts would be expected because of the modification of the existing FAS to accommodate MDT right-of-way requirements for the new Highway 82 Flathead River Bridge. However, under Alternative 3, cumulative impacts would occur. Pursuant to MEPA, because Alternative 3 is *related* to MDT's bridge replacement project, as cited and detailed in *Section IX, Cumulative Impacts Analysis*, any cumulative impacts from Alternative 3 must be considered in the context of all historic, current, and known future *related* actions. With consideration for potential impacts resulting from the modification of the existing FAS to accommodate MDT right-of-way requirements, no significant adverse cumulative impacts would be expected. Any adverse cumulative impacts would be short- and long-term, negligible to minor, consistent with existing impacts, and mitigated by best practices. Any beneficial cumulative impacts would be long-term, consistent with existing impacts, and negligible to minor.

Any future projects and associated cumulative impacts to the affected human environment would be assessed on a case-by-case basis pursuant to MEPA and other affected public processes and regulatory mechanisms, as applicable, prior to project approval and implementation. For a more detailed discussion of potential cumulative impacts associated with the proposed project see *Section IX, Cumulative Impacts Analysis*.

## B. Evaluation and Summary of Potential Impacts of the Proposed Project on the Human Environment

### 1. Social Structures and Mores

**Existing Environment/Baseline Conditions (No Action Alternative):**

Sportsman's Bridge FAS is located near Bigfork, MT, in Flathead County. Recent visitation data indicates a five-year average of approximately 15,614 vehicles entrances annually. The site currently provides a boat ramp, parking area, vault latrine, and access to approximately 210 feet of Flathead River shoreline.

No overnight camping is allowed on the site and the majority of visitation occurs during the summer season. The site provides recreational access to the Flathead River and Flathead Lake for a wide range of water-based activities. A smaller portion of the use is for non-water-based recreation such as picnicking and dog walking. For additional information related to the affected environment see *Section VII, General Setting of the Affected Environment*.

**Direct Impacts:**

No significant adverse direct impacts to pre-project social structures and mores would be expected because of the proposed project. Many Montanans and those visiting the state for outdoor recreational purposes hold high regard for conservation of and access to public lands, including FAS. Sportsman's Bridge FAS is an existing recreational site managed by FWP and is one of five such FAS' on the Flathead River. Existing FAS infrastructure would be modified to accommodate MDT right-of-way requirements for the bridge replacement project. Existing recreational opportunities would be enhanced by such modifications. As such, recreation, and related services support the existing social structure, customs, values, and conventions of the affected human population in and around Sportsman's Bridge FAS as well as any visitors to the affected area. Any direct impacts would be minor and beneficial.

**Secondary Impacts:**

No significant adverse secondary impacts to pre-project social structures and mores would be expected because of the modification of the existing FAS to accommodate MDT right-of-way requirements for the bridge replacement project. Sportsman's Bridge FAS is an existing site managed by FWP and is one of five such sites on the Flathead River above Flathead Lake. As such, recreation, and related services support the existing social structure, customs, values, and conventions of the affected human population in and around Sportsman's Bridge FAS as well as any visitors to the affected area. The proposed project would improve safety, existing amenities, and the overall recreational experience at the existing FAS and would continue to alleviate adverse impacts associated with increasing use and congestion at the other FAS located upstream on the Flathead River. Therefore, the action would continue to support existing social structures and mores in the affected area. Any secondary impacts would be long-term, minor to moderate, consistent with existing impacts, and beneficial.

**Cumulative Impacts:**

No significant adverse cumulative impacts would be expected because of the modification of the existing FAS to accommodate MDT right-of-way requirements for the new Highway 82 Flathead River Bridge. However, under Alternative 3, cumulative impacts would occur. Pursuant to MEPA, because Alternative 3 is *related* to MDT's bridge replacement project, as cited and detailed in *Section IX, Cumulative Impacts Analysis*, any cumulative impacts from Alternative 3 must be considered in the context of all historic, current, and known future *related* actions. With consideration for potential impacts resulting from the modification of the existing FAS to accommodate MDT right-of-way requirements, no significant adverse cumulative impacts would be expected. Any adverse cumulative impacts would be short- and long-term, negligible to minor, consistent with existing impacts, and mitigated by best practices. Any beneficial cumulative impacts would be long-term, consistent with existing impacts, and negligible to minor.

Any future projects and associated cumulative impacts to the affected human environment would be assessed on a case-by-case basis pursuant to MEPA and other affected public processes and regulatory mechanisms, as applicable, prior to project approval and implementation. For a more detailed discussion of potential cumulative impacts associated with the proposed project see *Section IX, Cumulative Impacts Analysis*.

## 2. Cultural Uniqueness and Diversity

### **Existing Environment/Baseline Conditions (No Action Alternative):**

The existing Sportsman's Bridge FAS is located near Bigfork in Flathead County MT. See *Section VII. General Setting of the Affected Environment* for population and demographic information for Flathead County.

### **Direct Impacts:**

No significant adverse direct impacts to cultural uniqueness and diversity would be expected because of the modification of the existing FAS to accommodate MDT right-of-way requirements for the new Flathead River Bridge. The project would modify certain infrastructure at the existing FAS. The action would not be expected to result in the immigration or emigration of people into or out of the affected area. Therefore, no direct impacts to the existing cultural uniqueness and diversity of the affected human population would be expected because of the proposed project.

### **Secondary Impacts:**

No significant adverse secondary impacts to cultural uniqueness and diversity would be expected because of the modification of the existing FAS to accommodate MDT right-of-way requirements for the new Flathead River Bridge. The project would modify certain infrastructure at the existing FAS to accommodate MDT's replacement of the Sportsman's Bridge over the Flathead River on Highway 82. While the proposed project would be expected to improve the existing visitor experience, it would not be expected to appreciably result in the immigration or emigration of people to or from the affected area or otherwise change the social and cultural make-up of the affected area. Therefore, no secondary impacts to the pre-project cultural uniqueness and diversity of the affected area would be expected because of the project.

### **Cumulative Impacts:**

No significant adverse cumulative impacts would be expected because of the modification of the existing FAS to accommodate MDT right-of-way requirements for the new Highway 82 Flathead River Bridge. However, under Alternative 3, cumulative impacts would occur. Pursuant to MEPA, because Alternative 3 is *related* to MDT's bridge replacement project, as cited and detailed in *Section IX, Cumulative Impacts Analysis*, any cumulative impacts from Alternative 3 must be considered in the context of all historic, current, and known future *related* actions. With consideration for potential impacts resulting from the modification of the existing FAS to accommodate MDT right-of-way requirements, no significant adverse cumulative impacts would be expected. Any adverse cumulative impacts would be short- and long-term, negligible to minor, consistent with existing impacts, and mitigated by best practices. Any beneficial cumulative impacts would be long-term, consistent with existing impacts, and negligible to minor.

Any future projects and associated cumulative impacts to the affected human environment would be assessed on a case-by-case basis pursuant to MEPA and other affected public processes and regulatory mechanisms, as applicable, prior to project approval and implementation. For a more detailed discussion of potential cumulative impacts associated with the proposed project see *Section IX, Cumulative Impacts Analysis*.

## 3. Access to and Quality of Recreational and Wilderness Activities

### **Existing Environment (No Action Alternative):**

The existing Sportsman's Bridge FAS provides access to the Flathead River and Flathead Lake for a wide range of water-based recreational activities including motorized and non-motorized boating, fishing, and

hunting. It is one of Five FWP FAS' on the Flathead River above Flathead Lake and the last downstream access site before Flathead Lake. On Flathead Lake, five FWP FASs and six FWP State Parks provide alternative access to Flathead Lake. Additionally, some city, local, federal, and tribal agencies operate recreational access sites on the Flathead River and Flathead Lake. The existing FAS includes two boat ramps, 25 boat-trail parking spaces, 10 single-vehicle parking spaces, a vault latrine, regulatory signs, and access to approximately 210 ft of Flathead River shoreline. Use of the existing FAS has steadily increased over time to the point where overcrowding occurs during the busiest season. For additional information related to the affected environment see *Section VII, General Setting of the Affected Environment*.

Figure 8. Crowding at the existing Sportsman's Bridge FAS



**Direct Impacts:**

No significant adverse direct impacts to access to and quality of recreational and wilderness activities would be expected because of the modification of the existing FAS to accommodate MDT right-of-way requirements for the new Flathead River Bridge. No congressionally designated Wilderness Areas would be affected by the proposed action. Therefore, no impacts to Wilderness Area activities would be expected because of the proposed project.

Modifications to the existing Sportsman's Bridge FAS may limit public use of the site during the construction phase. Construction activities associated with MDT's Flathead River Bridge replacement project may necessitate short-term interruption of access to the existing FAS too; however, any anticipated interruptions would be brief. Further, five additional FAS's managed by FWP, and several other Flathead River access points managed by other entities exist upstream of Sportsman's Bridge FAS on the Flathead River. Therefore, any adverse direct impacts would be short-term and negligible to minor.

**Secondary Impacts:**

No significant adverse secondary impacts to access to and quality of recreational and wilderness activities would be expected because of the modification of the existing FAS to accommodate MDT right-of-way requirements for the new Flathead River Bridge. FWP expects that recreational opportunities at the modified FAS would be improved. The modifications would, to the extent practical, feature a more efficient layout. Further, the FAS approach from the Hanging Rock Road, through the HOA via easement, would be safer and more user-friendly with improved sight distances, safer left turn (non-highway) and a flatter grade. Overall, these modifications would improve the quality and quantity of access to recreational activities at the site and on Flathead River and Flathead Lake. Therefore, any secondary impacts would be long term, moderate, and beneficial.

**Cumulative Impacts:**

No significant adverse cumulative impacts would be expected because of the modification of the existing FAS to accommodate MDT right-of-way requirements for the new Highway 82 Flathead River Bridge. However, under Alternative 3, cumulative impacts would occur. Pursuant to MEPA, because Alternative 3 is *related* to MDT's bridge replacement project, as cited and detailed in *Section IX, Cumulative Impacts Analysis*, any cumulative impacts from Alternative 3 must be considered in the context of all historic, current, and known future *related* actions. With consideration for potential impacts resulting from the modification of the existing FAS to accommodate MDT right-of-way requirements, no significant adverse cumulative impacts would be expected. Any adverse cumulative impacts would be short- and long-term, negligible to minor, consistent with existing impacts, and mitigated by best practices. Any beneficial cumulative impacts would be long-term, consistent with existing impacts, and negligible to minor.

Any future projects and associated cumulative impacts to the affected human environment would be assessed on a case-by-case basis pursuant to MEPA and other affected public processes and regulatory mechanisms, as applicable, prior to project approval and implementation. For a more detailed discussion of potential cumulative impacts associated with the proposed project see *Section IX, Cumulative Impacts Analysis*.

#### 4. Local and State Tax Base and Tax Revenue

**Existing Environment/Baseline Conditions (No Action Alternative):**

FWP would continue to pay taxes on the existing FAS, as modified. The Flathead Lake area is a 4-season mecca for outdoor recreation from summer boating, fishing, and water skiing to fall hunting, to spring cabin-fever escapes to winter snowmobiling and ice fishing. Outdoor recreation and tourism are among the largest impacts to local and state tax base and tax revenue in the affected area. For additional information related to the affected environment see *Section VII, General Setting of the Affected Environment*.

**Direct Impacts:**

No significant adverse direct impacts to local and state tax base and tax revenues would be expected because of the modification of the existing FAS to accommodate MDT right-of-way requirements for the new Flathead River Bridge. Funding to support such modification and development would be sourced from FWP, including state special revenue and MDT to accommodate necessary modifications to the site resulting from replacement of the Highway 82 Flathead River Bridge. Because FWP would expand its property ownership and lose some property to right-of-way restrictions, their property tax payment to Flathead County may change; however, any increases or decreases in tax burden would be negligible to minor.

The project would be expected to increase state and local tax revenues from the local sale of fuel, supplies and/or equipment to complete the project. Any adverse or beneficial direct impacts would be short-term and negligible to minor.

**Secondary Impacts:**

No significant adverse secondary impacts to local and state tax base and tax revenues would be expected because of the modification of the existing FAS to accommodate MDT right-of-way requirements for the new Flathead River Bridge. Funding to support such modification and development would be sourced from FWP funding sources, including state special revenue and MDT to accommodate necessary modifications to the site resulting from replacement of the Highway 82 Flathead River Bridge. Also, recreational spending in affected nearby communities may be increased by improvement of the FAS, which would beneficially impact local tax revenue. Any adverse or beneficial secondary impacts would be long-term and negligible to minor.

**Cumulative Impacts:**

No significant adverse cumulative impacts would be expected because of the modification of the existing FAS to accommodate MDT right-of-way requirements for the new Highway 82 Flathead River Bridge. However, under Alternative 3, cumulative impacts would occur. Pursuant to MEPA, because Alternative 3 is *related* to MDT's bridge replacement project, as cited and detailed in *Section IX, Cumulative Impacts Analysis*, any cumulative impacts from Alternative 3 must be considered in the context of all historic, current, and known future *related* actions. With consideration for potential impacts resulting from the modification of the existing FAS to accommodate MDT right-of-way requirements, no significant adverse cumulative impacts would be expected. Any adverse cumulative impacts would be short- and long-term, negligible to minor, consistent with existing impacts, and mitigated by best practices. Any beneficial cumulative impacts would be long-term, consistent with existing impacts, and negligible to minor.

Any future projects and associated cumulative impacts to the affected human environment would be assessed on a case-by-case basis pursuant to MEPA and other affected public processes and regulatory mechanisms, as applicable, prior to project approval and implementation. For a more detailed discussion of potential cumulative impacts associated with the proposed project see *Section IX, Cumulative Impacts Analysis*.

## 5. Industrial, Commercial, and Agricultural Activities and Production

**Existing Environment/Baseline Conditions (No Action Alternative):**

No industrial activities occur at the existing Sportsman's Bridge FAS or in the immediate vicinity. Some commercial activity including outfitting and guiding, watercraft rental, and other recreational service-oriented business occurs at the existing Sportsman's Bridge FAS as per FWP's Commercial Use Rules and associated administrative rules at ARM 12.14.101 to 12.14.170. For additional information related to the affected environment see *Section VII, General Setting of the Affected Environment*.

**Direct Impacts:**

No significant adverse direct impacts to industrial, commercial, and agricultural activities and production would be expected because of the modification of the existing FAS to accommodate MDT right-of-way requirements for the new Flathead River Bridge. No industrial or agricultural activity occurs at the existing FAS. Therefore, no impacts to industrial or agricultural activity would be expected because of the project.

The existing Sportsman's Bridge FAS periodically facilitates commercial activity for varied interests in accordance with the FWP commercial use permitting policy and associated administrative rules at ARM 12.14.101 through 12.14.170. Examples include outfitters and guides, watercraft rentals, and other service providers operating under FWP issued Commercial Use Permits. Current commercial activities occurring at the existing FAS would be adversely impacted by closure to the public and commercial interests during the project construction phase. Therefore, some curtailment of commercial activity may occur because of the project. However, because the construction phase would be relatively short and because five additional FAS's managed by FWP, and several other Flathead River access points managed by other entities exist upstream of Sportsman's Bridge on the Flathead River, any adverse impacts would be short-term and negligible to minor.

Further, FWP would hire local/in-state contractor(s) for the design and construction phase of the project, thereby directly and beneficially impacting local and/or state commercial activity and production. Overall, any adverse or beneficial direct impacts to commercial activity and production in the affected area would be short-term and negligible to minor.

**Secondary Impacts:**

No significant adverse secondary impacts to industrial, commercial, and agricultural activities and production would be expected because of the modification of the existing FAS to accommodate MDT right-of-way requirements for the new Flathead River Bridge. Sportsman's Bridge FAS is an existing FAS established primarily for the purposes of public recreation, thus the area affected by the project does not support industrial or agricultural activities and/or production. Because the affected area is not used for agricultural or industrial purposes, no secondary impacts to such activities within or near the existing Sportsman's Bridge FAS would be expected because of the proposed project.

Also, the project would facilitate improved recreational resources (i.e., modified FAS) and thereby potentially increase local participation in commercial activities at the affected site and an associated increase in service provider commercial use permits. Any secondary impacts to commercial activity in the affected area would be long-term, minor, and beneficial.

**Cumulative Impacts:**

No significant adverse cumulative impacts would be expected because of the modification of the existing FAS to accommodate MDT right-of-way requirements for the new Highway 82 Flathead River Bridge. However, under Alternative 3, cumulative impacts would occur. Pursuant to MEPA, because Alternative 3 is *related* to MDT's bridge replacement project, as cited and detailed in *Section IX, Cumulative Impacts Analysis*, any cumulative impacts from Alternative 3 must be considered in the context of all historic, current, and known future *related* actions. With consideration for potential impacts resulting from the modification of the existing FAS to accommodate MDT right-of-way requirements, no significant adverse cumulative impacts would be expected. Any adverse cumulative impacts would be short- and long-term, negligible to minor, consistent with existing impacts, and mitigated by best practices. Any beneficial cumulative impacts would be long-term, consistent with existing impacts, and negligible to minor.

Any future projects and associated cumulative impacts to the affected human environment would be assessed on a case-by-case basis pursuant to MEPA and other affected public processes and regulatory mechanisms, as applicable, prior to project approval and implementation. For a more detailed discussion of potential cumulative impacts associated with the proposed project see *Section IX, Cumulative Impacts Analysis*.

## 6. Human Health and Safety

### **Existing Environment/Baseline Conditions (No Action Alternative):**

The existing approach to Sportsman's Bridge FAS from Highway 82 makes it difficult and dangerous to enter and exit the site. The turn-off for the existing Sportsman's Bridge FAS is located on a hill and requires users to decelerate quickly and navigate a sharp corner shortly after leaving Highway 82. This turn is especially difficult for recreational users pulling boat trailers when other vehicles are stopped at the intersection waiting to leave the site. For additional information related to the affected environment see *Section VII, General Setting of the Affected Environment*.

Figure 9. Approach to the existing Sportsman's Bridge FAS



### **Direct Impacts:**

No significant adverse direct impacts to human health and safety would be expected because of the modification of the existing FAS to accommodate MDT right-of-way requirements for the new Flathead River Bridge. Affected government staff and/or contractors hired to conduct the project may realize increased risk to human health and safety associated with modification of the existing FAS site; however, FWP would require affected staff and/or contractors to operate in a safe manner and utilize best management practices, including the use of available and appropriate safety precautions. Construction activities may also increase risks to human health and safety for users of the affected site(s). However, any increased risk to human health and safety would be mitigated by the temporary, partial closure of the site during the construction phase of the project. Therefore, any adverse direct impacts to human health and safety would be short-term and negligible to minor. Any beneficial impacts would be short-term and minor to moderate.

### **Secondary Impacts:**

No significant adverse secondary impacts to human health and safety would be expected because of the modification of the existing FAS to accommodate MDT right-of-way requirements for the new Flathead

River Bridge. The project would modify the existing Sportsman's Bridge FAS, including entry to the modified existing FAS from Hanging Rock Road in place of the existing entry from Highway 82, which does not currently include a turn lane and limits line of sight for drivers accessing the FAS. The new entry from Hanging Rock Road would improve existing human health and safety concerns associated with accessing the FAS. The result would be a safer approach to the existing FAS, especially for those pulling boat trailers. No adverse secondary impacts would be expected because of the proposed project. Any secondary impacts would be long-term, minor to moderate, and beneficial.

**Cumulative Impacts:**

No significant adverse cumulative impacts would be expected because of the modification of the existing FAS to accommodate MDT right-of-way requirements for the new Highway 82 Flathead River Bridge. However, under Alternative 3, cumulative impacts would occur. Pursuant to MEPA, because Alternative 3 is *related* to MDT's bridge replacement project, as cited and detailed in *Section IX, Cumulative Impacts Analysis*, any cumulative impacts from Alternative 3 must be considered in the context of all historic, current, and known future *related* actions. With consideration for potential impacts resulting from the modification of the existing FAS to accommodate MDT right-of-way requirements, no significant adverse cumulative impacts would be expected. Any adverse cumulative impacts would be short- and long-term, negligible to minor, consistent with existing impacts, and mitigated by best practices. Any beneficial cumulative impacts would be long-term, consistent with existing impacts, and negligible to minor.

Any future projects and associated cumulative impacts to the affected human environment would be assessed on a case-by-case basis pursuant to MEPA and other affected public processes and regulatory mechanisms, as applicable, prior to project approval and implementation. For a more detailed discussion of potential cumulative impacts associated with the proposed project see *Section IX, Cumulative Impacts Analysis*.

## **7. Quantity and Distribution of Employment**

**Existing Environment/Baseline Conditions (No Action Alternative):**

The existing Sportsman's Bridge FAS is operated and maintained by FWP employees. While the existing Sportsman's Bridge FAS has no dedicated employees, several maintenance workers, groundskeepers, administrative, and enforcement staff regularly perform duties at the site. Further, in accordance with FWP commercial use policy and the applicable administrative rules, commercial use permits are issued by FWP to provide recreation-based economic business opportunities and associated recreational visitor services at the existing Sportsman's Bridge FAS'. For additional information related to the affected environment see *Section VII, General Setting of the Affected Environment*.

**Direct Impacts:**

No significant adverse direct impacts to the quantity and distribution of employment in the affected area would be expected because of the modification of the existing FAS to accommodate MDT right-of-way requirements for the new Flathead River Bridge. Existing government staff and/or local contractors would be used to complete the construction phase of the project resulting in a direct short-term, minor, and beneficial impacts to the quantity and distribution of employment in the area. Commercial use permit holders that currently use the existing Sportsman's Bridge FAS would likely also use the modified site, when completed, and with only temporary interruptions in access while the modified existing FAS is developed. During construction, commercial use permit holders could use any of the several other FWP access sites on the Flathead River and Flathead Lake to accommodate business operations. Therefore, any adverse direct impacts would be short-term and negligible.

**Secondary Impacts:**

No significant adverse secondary impacts to the quantity and distribution of employment in the affected area would be expected because of the modification of the existing FAS to accommodate MDT right-of-way requirements for the new Flathead River Bridge. FWP expects that recreational opportunities at the modified existing Sportsman's Bridge FAS would be improved when compared to the existing FAS infrastructure. Most commercial activities that take place at Sportsman's Bridge FAS constitute permitted recreational pursuits and more specifically recreational equipment rentals and/or guided fishing trips on the Flathead River and Flathead Lake. The project would not result in increased or decreased capacity for recreational use at Sportsman's Bridge FAS. Therefore, any secondary impacts would be long term, negligible to minor, and beneficial.

**Cumulative Impacts:**

No significant adverse cumulative impacts would be expected because of the modification of the existing FAS to accommodate MDT right-of-way requirements for the new Highway 82 Flathead River Bridge. However, under Alternative 3, cumulative impacts would occur. Pursuant to MEPA, because Alternative 3 is *related* to MDT's bridge replacement project, as cited and detailed in *Section IX, Cumulative Impacts Analysis*, any cumulative impacts from Alternative 3 must be considered in the context of all historic, current, and known future *related* actions. With consideration for potential impacts resulting from the modification of the existing FAS to accommodate MDT right-of-way requirements, no significant adverse cumulative impacts would be expected. Any adverse cumulative impacts would be short- and long-term, negligible to minor, consistent with existing impacts, and mitigated by best practices. Any beneficial cumulative impacts would be long-term, consistent with existing impacts, and negligible to minor.

Any future projects and associated cumulative impacts to the affected human environment would be assessed on a case-by-case basis pursuant to MEPA and other affected public processes and regulatory mechanisms, as applicable, prior to project approval and implementation. For a more detailed discussion of potential cumulative impacts associated with the proposed project see *Section IX, Cumulative Impacts Analysis*.

## 8. Density and Distribution of Human Population and Housing

**Existing Environment/Baseline Conditions (No Action Alternative):**

The existing Sportsman's Bridge FAS property is managed for recreational use with no overnight camping permitted. This status would continue following modification of the site. The site is bordered by private property that is part of a residential subdivision on two sides. The existing Sportsman's Bridge FAS averages approximately 15,500 annual vehicle entrances, the bulk of which occur during the summer season. The town of Bigfork, with a population of 5,1018, as of the 2020 U.S. census, is approximately three miles from the proposed project. For additional information related to the affected environment see *Section VII, General Setting of the Affected Environment*.

**Direct Impacts:**

No significant adverse direct impacts to the density and distribution of human population and housing in the affected area would be expected because of the modification of the existing FAS to accommodate MDT right-of-way requirements for the new Flathead River Bridge. Modification of the existing FAS would be accomplished by existing government staff and/or contractors and would not otherwise require or result in any new employment opportunities or the movement of existing or new population into or out of the affected area. Therefore, no direct impacts would be expected because of the project.

**Secondary Impacts:**

No significant adverse secondary impacts to the density and distribution of human population and housing in the affected area would be expected because of the modification of the existing FAS to accommodate MDT right-of-way requirements for the new Flathead River Bridge. Following project completion, FWP would not expect any new employment opportunities or the immigration or emigration of long-term residents to or from the affected area because of the proposed project. Also, existing FWP staff currently responsible for managing the existing Sportsman's Bridge FAS would continue to manage the modified, improved FAS once the proposed project is completed. Therefore, no secondary impacts would be expected because of the proposed project.

**Cumulative Impacts:**

No significant adverse cumulative impacts would be expected because of the modification of the existing FAS to accommodate MDT right-of-way requirements for the new Highway 82 Flathead River Bridge. However, under Alternative 3, cumulative impacts would occur. Pursuant to MEPA, because Alternative 3 is *related* to MDT's bridge replacement project, as cited and detailed in *Section IX, Cumulative Impacts Analysis*, any cumulative impacts from Alternative 3 must be considered in the context of all historic, current, and known future *related* actions. With consideration for potential impacts resulting from the modification of the existing FAS to accommodate MDT right-of-way requirements, no significant adverse cumulative impacts would be expected. Any adverse cumulative impacts would be short- and long-term, negligible to minor, consistent with existing impacts, and mitigated by best practices. Any beneficial cumulative impacts would be long-term, consistent with existing impacts, and negligible to minor.

Any future projects and associated cumulative impacts to the affected human environment would be assessed on a case-by-case basis pursuant to MEPA and other affected public processes and regulatory mechanisms, as applicable, prior to project approval and implementation. For a more detailed discussion of potential cumulative impacts associated with the proposed project see *Section IX, Cumulative Impacts Analysis*.

## 9. Demands for Government Services

**Existing Environment/Baseline Conditions (No Action Alternative):**

The existing Sportsman's Bridge FAS is in Flathead County. Therefore, Flathead County currently provides government services in response to activities occurring at the existing Sportsman's Bridge FAS. These government services include law enforcement, fire protection, and other emergency services in the affected area. Further, FWP game wardens routinely patrol the existing Sportsman's Bridge FAS, the Flathead River, and nearby Flathead Lake providing enforcement of fish, wildlife, and recreational use laws. FWP staff manage and maintain the existing FAS, year-round. For additional information related to the affected environment see *Section VII, General Setting of the Affected Environment*.

**Direct Impacts:**

No significant adverse direct impacts to demands for government services would be expected because of the modification of the existing FAS to accommodate MDT right-of-way requirements for the new Flathead River Bridge. FWP expects most of the work necessary to complete the project would be accomplished by contractors rather than existing FWP staff. However, some short-term and minor adverse direct impacts to government services and financial resources would be realized because the privately contracted work would be funded by FWP and/or MDT. Any adverse direct impacts to existing government staff and/or financial resources would be short-term, minor, and consistent with pre-

project duties and expenditures. Also, some short term, minor, adverse direct impacts to Flathead County staff may occur associated with required review and permitting of the plans to modify the existing FAS and subsequent issuance of any required permit(s). No additional demands for government services would be expected because of the project. Therefore, any adverse direct impacts would be short-term, negligible to minor, and consistent with pre-project impacts.

**Secondary Impacts:**

No significant adverse secondary impacts to demands for government services would be expected because of the modification of the existing FAS to accommodate MDT right-of-way requirements for the new Flathead River Bridge. Following completion of the project, FWP staff would continue to conduct and manage routine maintenance operations at the existing Sportsman's Bridge FAS, with little to no change from current duties. These day-to-day operations include regularly monitoring the FAS and surrounding area for any resource damage, litter, facilities maintenance, and the monitoring and control of noxious weeds. No staffing increases would be required for the project. Therefore, no adverse secondary impacts would be expected because of the project.

**Cumulative Impacts:**

No significant adverse cumulative impacts would be expected because of the modification of the existing FAS to accommodate MDT right-of-way requirements for the new Highway 82 Flathead River Bridge. However, under Alternative 3, cumulative impacts would occur. Pursuant to MEPA, because Alternative 3 is *related* to MDT's bridge replacement project, as cited and detailed in *Section IX, Cumulative Impacts Analysis*, any cumulative impacts from Alternative 3 must be considered in the context of all historic, current, and known future *related* actions. With consideration for potential impacts resulting from the modification of the existing FAS to accommodate MDT right-of-way requirements, no significant adverse cumulative impacts would be expected. Any adverse cumulative impacts would be short- and long-term, negligible to minor, consistent with existing impacts, and mitigated by best practices. Any beneficial cumulative impacts would be long-term, consistent with existing impacts, and negligible to minor.

Any future projects and associated cumulative impacts to the affected human environment would be assessed on a case-by-case basis pursuant to MEPA and other affected public processes and regulatory mechanisms, as applicable, prior to project approval and implementation. For a more detailed discussion of potential cumulative impacts associated with the proposed project see *Section IX, Cumulative Impacts Analysis*.

## **10. Locally Adopted Environmental Plans and Goals**

**Existing Environment/Baseline Conditions (No Action Alternative):**

Sportsman's Bridge FAS is one of 332 FAS in Montana, which provide access to high quality waters for angling, boating, bird hunting and other recreational opportunities. FWP is committed to the continued operation, maintenance, and overall management of such sites and the addition or improvement of such sites when opportunities arise, or conditions dictate.

Among the plant species confirmed, suspected, or possibly found in the affected area, 5 species are listed by the state of Montana as *species of concern* (**Table 7**). Approximately 20 Montana fish and wildlife *species of concern* have been documented using the property, have potential habitat on the property, or occupy immediately adjacent waters. These include westslope cutthroat trout, bull trout, and lands supporting little brown bat, pileated woodpecker, varied thrush and oblique ambersnail (**Table 6**). (Montana Natural Heritage Program [MTNHP] data, 26 February 2024). Furthermore, ESA listed bull trout, grizzly bear, Spalding's champion, Canada lynx, red knot, yellow-billed cuckoo, wolverine, and meltwater lednian stonefly and ESA-delisted bald eagles may potentially use the affected area. For

additional information related to the affected environment see *Section VII, General Setting of the Affected Environment*. For additional information regarding the effects of the proposed project on these species see *Section XI, Cumulative Impacts Analysis* and *Section XII.A.8, Unique, Endangered, Fragile, or Limited Environmental Resources*.

**Direct Impacts:**

No significant adverse direct impacts to locally adopted environmental plans and goals would be expected because of the modification of the existing FAS to accommodate MDT right-of-way requirements for the new Flathead River Bridge. The existing Sportsman's Bridge FAS was established to provide public recreational access to the Flathead River and Flathead Lake from the affected site. The primary purpose of the project is to comply with right-of-way requirements associated with MDT's replacement of the existing and adjacent Flathead River Bridge, while maintaining and/or improving recreational access to the Flathead River and Flathead Lake. Construction activities associated with modification of the existing FAS may adversely, temporarily impact FWP's public recreational goals in the affected area. Construction activities associated with MDT's Flathead River Bridge replacement project may necessitate short-term interruption of access to the existing FAS; however, any anticipated interruptions would be brief. Further, five additional FAS's managed by FWP, and several other Flathead River access points managed by other entities exist upstream of Sportsman's Bridge on the Flathead River. Therefore, any adverse direct impacts would be short-term and negligible to minor.

Construction activities associated with the proposed project may also adversely impact some locally observed wildlife species through temporary displacement, including the 20 state-listed animal *species of concern* and five state-listed plant *species of concern* that have been observed within or in the vicinity of the existing Sportsman's Bridge FAS. Bald eagles, which are currently listed by the state of Montana as a *special status species*, and have been de-listed under the federal ESA, have also been observed within and/or nearby the existing Sportsman's Bridge FAS and the proposed site of the new Flathead River Bridge FAS. Among the 20 state-listed *species of concern*, bull trout, wolverine, Canada lynx, and grizzly bear are listed as *threatened* under the federal ESA. While these listed species may be temporarily displaced during construction and demolition activities, any direct impacts would be short-term, lasting only as long as the demolition and construction phase of the proposed project; negligible to minor; and consistent with existing impacts in the affected area. The modified site would not be expected to impede recovery of any of the listed species.

**Secondary Impacts:** No significant adverse secondary impacts to locally adopted environmental plans and goals would be expected because of the modification of the existing FAS to accommodate MDT right-of-way requirements for the new Flathead River Bridge. The existing Sportsman's Bridge FAS was established to provide public recreational access to the Flathead River and Flathead Lake from the affected site. Once completed, the modified existing FAS would continue to be managed to support and/or improve this objective. The primary purpose of the proposed project is to comply with right-of-way requirements associated with MDT's replacement of the existing and adjacent Flathead River Bridge, while maintaining and/or improving recreational access to the Flathead River and Flathead Lake. The proposed project would accomplish this objective; therefore, no direct impacts would be expected because of the proposed project.

Sixteen state-listed animal *species of concern* and five state-listed plant *species of concern* have been observed within, or in the vicinity of, the existing Sportsman's Bridge FAS. Bald eagles, which are currently listed by the state of Montana as a *special status species*, and have been de-listed under the federal ESA, have also been observed within and/or nearby the existing Sportsman's Bridge FAS and the proposed site of the new Flathead River Bridge FAS. Among the 20 state-listed animal *species of concern*, bull trout, grizzly bear, Spalding's campion, Canada lynx, red knot, yellow-billed cuckoo,

wolverine, and meltwater lednian stonefly are also listed as *threatened* or *endangered* under the federal ESA.

It is FWP’s broad-scope objective to re-establish specific habitats and species-specific populations to a condition and level that would allow for the ESA-delisting of affected species as well as the de-listing of all state *species of concern* and/or *special status species*. Once the project is completed, FWP would not expect any additional adverse impacts to the identified *species of concern*, *special status species*, or ESA-*threatened* species that have been observed within or in the vicinity of the existing Sportsman's Bridge FAS. Therefore, in-line with federal, state, and local plans and goals related to wildlife and wildlife protections, no adverse secondary impacts to such wildlife resources would be expected because of the proposed project. FWP is unaware of any other locally adopted environmental plans or goals that would be impacted by the project.

**Cumulative Impacts:**

No significant adverse cumulative impacts would be expected because of the modification of the existing FAS to accommodate MDT right-of-way requirements for the new Highway 82 Flathead River Bridge. However, under Alternative 3, cumulative impacts would occur. Pursuant to MEPA, because Alternative 3 is *related* to MDT’s bridge replacement project, as cited and detailed in *Section IX, Cumulative Impacts Analysis*, any cumulative impacts from Alternative 3 must be considered in the context of all historic, current, and known future *related* actions. With consideration for potential impacts resulting from the modification of the existing FAS to accommodate MDT right-of-way requirements, no significant adverse cumulative impacts would be expected. Any adverse cumulative impacts would be short- and long-term, negligible to minor, consistent with existing impacts, and mitigated by best practices. Any beneficial cumulative impacts would be long-term, consistent with existing impacts, and negligible to minor.

Any future projects and associated cumulative impacts to the affected human environment would be assessed on a case-by-case basis pursuant to MEPA and other affected public processes and regulatory mechanisms, as applicable, prior to project approval and implementation. For a more detailed discussion of potential cumulative impacts associated with the proposed project see *Section IX, Cumulative Impacts Analysis*.

## XIII. Determining the Significance of Impacts

If the EA identifies impacts associated with the proposed action FWP must determine the significance of the impacts. This determination forms the basis for FWP’s decision as to whether it is necessary to prepare an environmental impact statement. FWP considered the criteria identified in **Table 9** below to determine the significance of each impact on the quality of the physical and human environment. ARM 12.2.431.

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.

**Table 9: Determining the Significance of Impacts**

Criteria Used to Determine Significance	
1	The <b>severity, duration, geographic extent, and frequency</b> of the occurrence of the impact  “ <b>Severity</b> ” describes the density of the potential impact, while “ <b>extent</b> ” 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.  “ <b>Duration</b> ” describes the time period during which an impact may occur, while “ <b>frequency</b> ” 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

## XIV. Private Property Impact Analysis (Takings)

The 54<sup>th</sup> 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 10: Private Property Assessment Act (Taking and Damaging Assessment)**

PRIVATE PROPERTY ASSESMENT CHECKLIST			
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	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Does the action result in either a permanent or an indefinite physical occupation of private property?	2	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Does the action deprive the owner of all economically viable uses of the property?	3	<input type="checkbox"/>	<input checked="" type="checkbox"/>
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 6.)	4	<input type="checkbox"/>	<input checked="" type="checkbox"/>

Is there a reasonable, specific connection between the government requirement and legitimate state interest?	4a	<input type="checkbox"/>	<input type="checkbox"/>
Is the government requirement roughly proportional to the impact of the proposed use of the property?	4b	<input type="checkbox"/>	<input type="checkbox"/>
Does the action deny a fundamental attribute of ownership?	5	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Does the action have a severe impact of the value of the property?	6	<input type="checkbox"/>	<input checked="" type="checkbox"/>
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	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Is the impact of government action direct, peculiar, and significant?	7a	<input type="checkbox"/>	<input type="checkbox"/>
Has the government action resulted in the property becoming practically inaccessible, waterlogged, or flooded?	7b	<input type="checkbox"/>	<input type="checkbox"/>
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	<input type="checkbox"/>	<input type="checkbox"/>
<b>Does the proposed action result in taking or damaging implications?</b>		<input type="checkbox"/>	<input checked="" type="checkbox"/>
Taking or damaging implications exist if <b>YES</b> 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 <b>NO</b> 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.			
<b>Alternatives:</b> The analysis under the Private Property Assessment Act, §§ 2-10-101-112, 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.			

## XV. Public Participation

### Scoping

Scope is the full range of issues that may be affected if an agency implements a proposed action or alternatives to the proposed action. The scope of the environmental review is described through a definition of those issues, a reasonable range of alternatives considered, a description of the impacts to the physical and human environments, and a description of reasonable mitigation measures that would ameliorate the impacts. Scoping is the process used to identify all issues that are relevant to the proposed action.

Depending on the level of impact associated with a proposed action, the scoping process may include a request for public participation in the identification of issues.

Because FWP determined the proposed action will result in limited environmental impact, and little public interest has been expressed, FWP determined the proposed project did not meet the criteria for a public scoping meeting. Therefore, a public scoping meeting was not held for the proposed action.

Scoping also includes efforts to engage internal and affected external agencies. For the proposed project, these scoping efforts included queries to the following websites/databases/personnel:

#### AGENCIES CONSULTED

- Montana State Historic Preservation Office (SHPO)
- Montana Department of Environmental Quality (DEQ)
- County Jurisdiction

- USGS National Hydrography Data
- Montana Natural Heritage Program
- Montana Cadastral
- Confederated Salish and Kootenai Tribes (CSKT)

#### **Public Review of Environmental Assessments**

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)). For the proposed project, FWP determined 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.
- Public notice will be served on the Montana Fish, Wildlife and Parks website at: <https://fwp.mt.gov/public-notices>.
- Public notice will be served on the Montana Environmental Quality Council's MEPA Document List website at: <https://leg.mt.gov/mepa/search/>.
- As applicable, 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)).

Public notice announces availability of the Draft EA for public review, summarizes the proposed project, identifies the time-period available for public comment, and provides direction for submitting comments.

- **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., Mountain Time, on the last day of public comment, as listed below:

**Length of Public Comment Period:** 30 days

**Public Comment Period Begins:** April 23, 2024

**Public Comment Period Ends:** May 22, 2024

Comments must be addressed to the FWP contact listed below.

- **Comments on the Draft EA can be submitted on-line or mailed to:**

Montana Fish, Wildlife & Parks  
Sportsman Bridge FAS EA  
490 N. Meridian Rd  
Kalispell, MT 59901

## **XVI. Recommendation for Further Environmental Analysis**

<b>NO</b> further analysis is needed for the proposed action	<input checked="" type="checkbox"/>
FWP must conduct <b>EIS</b> level review for the proposed action	<input type="checkbox"/>

## XVII. EA Preparation and Review

	Name	Title
EA prepared by:	Lee Anderson, Tony Powell, Mike Hensler, Kenny Breidinger, Franz Ingelfinger	FWP Region One Staff
EA reviewed by:	Eric Merchant	MEPA Coordinator

## Appendix A. References

1. [Appendix A 1 MDT Cat-X Document 6850000ENCED001](#)
2. [Appendix A 2 FWP 4\(f\) concur letter March 28 2019](#)
3. [Appendix A 3 Sportsman's Bridge draft EA March 2023](#)
4. [Appendix A 4 Sportsman's Bridge DN-Final](#)
5. [Appendix A 5 MDT FHWA Biological Assessment April 2022](#)
6. [Appendix A 6 USFWS Biological Opinion 20221028 LTR-BO Zerrenner Hasselbach Flathead River 3 M NW Big Fork BT BTCH](#)
7. [Appendix A 7 Sportsman's Bridge Natural Heritage Program Environmental Summary](#)
8. [Appendix A 8 Cultural Resources Inventory Report 2023](#)
9. [Appendix A 9 Section 212 Obliterate Roadway](#)