



## DECISION NOTICE

**Grey Bear and Springdale Bridge Fishing Access Sites  
Fiber Optic Easement Request by Triangle Telephone Cooperative Association, Inc.  
FWP-DN-LDS-R8-24-001**

May 14, 2024

### ACTION

Decision Notice (DN). Montana Fish, Wildlife & Parks (FWP) shall prepare a DN for the proposed action. The DN must identify the agency decision, the reasons for the decision, and any special conditions surrounding the decision or its implementation.

With this action, FWP hereby adopts the Draft Environmental Assessment or Draft EA as final, without modification, and approves Alternative 2, the proposed action.

### AUTHORITY: MONTANA ENVIRONMENTAL POLICY ACT

According to the applicable requirements of the Montana Environmental Policy Act or MEPA and its implementing rules and regulations, before a proposed action may be approved, environmental review must be conducted to identify, consider, and disclose any potential impacts of the proposed action on the affected human environment. The level of environmental review will vary with the complexity and seriousness of environmental issues associated with a proposed action. The level of public interest will also vary. The agency is responsible for adjusting public review to match these factors. *Title 75, Chapter 1, Parts 1 through 3, Montana Code Annotated (MCA)*.

Based on these factors, FWP determined a Checklist EA (Draft EA) constitutes the appropriate level of review for the proposed action. Therefore, to assess and disclose potential impacts of the proposed action to the affected human environment, FWP prepared a Draft EA for public review and comment. See *Public Participation Process* below.

Further, FWP must consider any substantive comments received in response to an EA and proceed in accordance with one of the following steps: determine the EA did not adequately reflect the issues raised by the proposed action and issue an Environmental Impact Statement or EIS; determine the EA did not adequately reflect the issues raised by the proposed action and issue a supplemental EA; or determine the Draft EA adequately addressed the issues raised by the proposed action and make a final decision, with appropriate modification resulting from the analysis provided in the Draft EA and the analysis of any substantive public comments received. See *Public Comment and FWP Response* below.

### PUBLIC PARTICIPATION PROCESS

The Draft EA was made available for public review and comment from April 11, 2024 through April 25, 2024. The Draft EA was posted on FWP's Public Notice webpage: <https://fwp.mt.gov/news/public-notices>. The Draft EA was also made available for public review on the Environmental Quality Council or EQC website: <https://leg.mt.gov/mepa/search/>, by individual request, and through notice to identified interested parties. FWP did not receive any comments during the public comment period.

#### **DESCRIPTION OF PROPOSED ACTION**

Triangle Telephone Cooperative Association, Inc. (TTCA), is requesting the following easements through the affected FWP fishing access sites (FAS) on the Yellowstone River for the purpose of installing high-speed fiberoptic telecommunications lines:

- Grey Bear FAS. Section 15, Township 1 South, Range 12 East: A 20 foot wide, approximately 1,270 linear feet long buried communications easement encompassing approximately 0.68 acres
- Springdale Bridge FAS. Section 35, Township 1 North, Range 13 East: A 20 foot wide, approximately 429 linear feet long buried communications easement encompassing approximately 0.20 acres

The new easements are part of a larger project proposed by TTCA. TTCA is installing, upgrading, and replacing portions of their telecommunications lines in rural Sweet Grass and Park Counties. The proposed project will utilize both directional bore and low-impact cable burying techniques. The project includes construction of small vaults at points of river-bore intersection.

The combined easements will encumber approximately 0.88 acres of FWP-owned property.

#### **PURPOSE AND NEED**

TTCA is proposing to replace existing telecommunications facilities with fiber optic cables in parts of the Big Timber exchange area. The current copper facilities in the area are reaching capacity to serve the area due to growth and aging facilities in and around Big Timber. These improvements will provide state-of-the-art telecommunications capacity, as well as future growth capabilities.

The proposed fiber optic route was determined by field review as the most direct route between terminus locations while also providing access to for future network considerations and providing for possible future expansion of FWP facilities. The proposed route will provide accessibility for construction and the proposed location is primarily along existing roadways. The proposed route will maintain a safe distance from local bridges in the event they need to be replaced.

#### **Alternative 1: No Action**

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

Under the no action alternative, FWP would not grant the easement to TTCA, and the proposed new fiber optic cable would not be placed in the existing FAS easement area(s). The existing attachment of the fiber optic cable under the affected bridge(s) render the cable more vulnerable to hazards and communication outages. Thus, the No Action alternative would result in a less safe and reliable telecommunication

connection in the affected area, would disrupt the larger TTCA project, and necessitate alternative plans for meeting the purpose and need of the TTCA project.

**Alternative 2: Proposed Action**

Under the Proposed Action, FWP will grant easements to TTCA for the proposed action(s). TTCA is proposing to replace existing telecommunications facilities with fiber optic cables in parts of the Big Timber exchange area. The current copper facilities in the area are reaching capacity to serve the area due to growth and aging facilities in and around Big Timber. These improvements will provide state-of-the-art telecommunications capacity, as well as future growth capabilities.

**PUBLIC COMMENT AND FWP RESPONSE**

No public comments were received during the public comment period.

**DECISION**

Based on the environmental review provided in the Draft EA, and in accordance with all applicable laws, rules, regulations, and policies, FWP determined the proposed action (Alternative 2), will not have significant adverse impacts on the human environment associated with the proposed action and constitutes a reasonable and appropriate strategy to achieve identified objectives. Therefore, preparation of an EIS is unnecessary.

FWP hereby adopts the Draft EA as final and approves Alternative 2, the proposed action.

Sincerely,



Mike Ruggles

Region 5 Supervisor

Montana Fish, Wildlife & Parks