

U.S. Fish and Wildlife Service

New Northwest Montana Wetland Management District Administrative Facilities

Environmental Assessment Supplement

June 2024

The mission of the U.S. Fish and Wildlife Service is working with others to conserve, protect, and enhance fish, wildlife, plants, and their habitats for the continuing benefit of the American people.



CITATION: U.S. Fish and Wildlife Service. 2024. Environmental Assessment Supplement for New Northwest Montana Wetland Management District Administrative Facilities. U.S. Department of the Interior, Fish and Wildlife Service, Moiese, Montana.

1 Purpose and Need for Action

1.1 Introduction

The staff of the U.S. Fish and Wildlife Service (Service) have been administering the units of the Western Montana National Wildlife Refuge Complex geographically situated within the Mission, Flathead, and Swan Valleys of Northwestern Montana from facilities on the Bison Range (BR; formerly the National Bison Range), in Moiese, Montana. These facilities included a 4,700-square-foot visitor center with offices; a 2,300-square-foot residence repurposed as offices; a 5,500-square-foot maintenance shop; 2,000 square feet of warm storage; 6,000 square feet of cold storage; a 5-acre equipment yard; and three additional residences for staff and interns.

On December 27, 2020, the BR was restored to the Confederated Salish and Kootenai Tribes (CSKT) to be held in federal trust ownership, under Section 12 of the Montana Water Rights Protection Act, signed into law with the Consolidated Appropriations Act of 2021. As a result, facilities located on the BR would no longer be available for use, and the Service identified a need for replacement (new) facilities to administer the Northwest Montana Wetland Management District (NWMT WMD). Accordingly, a draft Environmental Assessment (EA) was prepared in accordance with the National Environmental Policy Act (NEPA) of 1969 (42 United States Code [U.S.C.] §§ 4321 et seq.) in accordance with Council on Environmental Quality (40 Code of Federal Regulations [C.F.R.] Parts 1500–1508), Department of the Interior (43 C.F.R. Part 46; 516 DM 8), and U.S. Fish and Wildlife Service (550 FW 3) regulations and policies.

The draft EA, released for public comment on September 28, 2021, evaluated the potential environmental impacts associated with five alternatives, including the no action alternative. Three of the alternatives were Waterfowl Production Areas (WPAs) located in the Mission Valley, including Anderson, Crow, and Herak (Alternatives B, C, and D, respectively). Alternative E was the acquisition of property not currently owned by the Service.

After reviewing all comments received and responding to those comments, in March 2022, the Service released a *Final Environmental Assessment for New Northwest Montana Wetland Management District Administrative Facilities* (hereinafter March 2022 Final EA) and signed a Finding of No Significant Impact (FONSI) on June 13, 2022, selecting Alternative E for implementation. Under Alternative E, the Service would acquire land in the Mission Valley for the purpose of constructing new facilities and potentially increasing conservation land using Land and Water Conservation Funds and Migratory Bird Conservation Funds.

Since the signing of the FONSI, the Service has worked diligently to acquire a suitable land parcel in the Mission Valley for the construction of new facilities for the NWMT WMD. The Service staff engaged realtors/property owners about the government acquisition process, looked at 26 properties and showed interest on 15 of those. Appraised offers were placed on three properties. However, the Service was unable to acquire any of these properties.

Although the June 2022 FONSI also identified Alternative C (Crow Waterfowl Production Area) for construction of new facilities should a suitable land parcel not be available for acquisition, the Service determined that its criteria for siting the new facilities could be broadened to assess building on one of the agency's existing other fee title properties. Accordingly, this supplemental EA evaluates five additional Waterfowl Production Areas (WPAs) in the Mission Valley for the construction of new facilities for the NWMT WMD. The WPAs include Duck Haven, Johnson 80, Kickinghorse, Montgomery, and Sandsmark. Appendix A includes a map of all the WPAs in the NWMT WMD.

These five WPAs were not initially analyzed, because the Service was concerned about whether the proposed facilities construction footprint could be situated on any of them and meet the identified siting criteria. However, the Service has since redesigned the proposed facilities construction footprint so that it could be accommodated at any of the five WPAs, rendering them as potentially suitable for further consideration and environmental analysis.

1.2 The Proposed Action

The proposed action is to construct new facilities for the NWMT WMD. The proposed new facilities would include some of the same elements as described in the March 2022 Final EA -- a maintenance shop, a multi-purpose building, and cold and warm storage facilities, but one residence (instead of two as previously proposed). This would result in a smaller facilities footprint (less than 12 acres). In addition, the Service is committed to reducing the size of this footprint, if possible, and to evaluating options to reduce traffic.

1.3 Purpose and Need for the Proposed Action

The purpose and need for the Proposed Action remain the same as stated in the March 2022 Final EA. Accordingly, the Service is committed to maintaining a presence within commuting distance of the BR and existing National Wildlife Refuge System managed lands and within the Flathead Indian Reservation in order to ensure the continuation of a strong partnership between the Service and the CSKT. This will help to improve the quality and accuracy of cultural messaging across the Western Montana National Wildlife Refuge Complex, and to amplify our ability to incorporate Traditional Ecological Knowledge into our programs. Additionally, constructing management facilities within the Mission Valley ensures that staff and resources are located centrally within the NWMT WMD.

Replacement facilities are necessary to provide workspace for refuge staff, space for storage and maintenance of property, the ability to oversee and protect equipment and facilities, residence for permanent or seasonal staff, and space for Service staff to create, maintain, and collaborate with current and future partners. Without replacement facilities, management of the NWMT WMD would be compromised, and the services that Service staff offer to local and regional agencies and organizations would be diminished.

1.4 Tribal Consultation

Regular updates have been provided to the CSKT's Natural Resource Department staff on results of the Services' efforts to acquire land to construct the proposed facilities under Alternative E as identified in the March 2022 Final EA and the need to look at other WPAs to site the facilities. In addition, the Service consulted with the CSKT Tribal Historic Preservation Officer (THPO) regarding compliance with Section 106 of the National Historic Preservation Act. A letter of concurrence was received from the THPO on June 17, 2024. The letter is included in Appendix C to this Supplemental EA.

1.5 Public Involvement

Between September 29 and October 27, 2021, the USFSW made the *Draft Environmental Assessment for New Northwest Montana Wetland Management District Administrative Facilities* available for public review and comment. The Service received comments from one organization and 25 individuals. The comments were largely supportive of Alternative E since many of the commenters preferred that the WPA properties be preserved for wildlife habitat rather than be used to construct new infrastructure with additional traffic and air quality impacts. The removal of areas currently open to hunting was another concern. See Appendix D of the March 2022 Final EA for responses to comments.

Between March 4 and April 3, 2024, the Service made the Draft Environmental Assessment Supplement available for public review and comment. The Service received comments from four non-governmental organizations and 63 individuals. The comments generally opposed Alternative F with many of the commenters concerned that WPA properties should be used for the preservation of wildlife habitat rather than for new facilities. Other comments identified the traffic, noise, and dust that the facilities would bring to a rural setting. Commenters also pointed out that the proposed facilities on Montgomery WPA would conflict with existing agricultural irrigation ditches and the Flathead Indian Irrigation Project. See Appendix B of the Final Environmental Assessment Supplement for responses to comments.

2 Description of the Additional Alternative (Alternative F)

2.1 WPAs Under Consideration as Alternative Sites

Under this new alternative, the Service is assessing any of the five following WPAs: Duck Haven, Johnson 80, Kickinghorse, Montgomery, and Sandsmark as a potential site for the new facilities. Any of the five could meet the siting criteria, which included the avoidance of wetlands, areas where habitat restoration has been completed, areas of intact native vegetation,

and areas that provide critical habitat for species of concern. The Montgomery WPA would meet more of the siting criteria than the other locations for the proposed new facilities. The other WPAs are being evaluated in this EA Supplement should unforeseen circumstances make the Montgomery WPA unfeasible for facilities construction.

All of the WPAs under consideration are relatively flat topographically and are predominantly covered by grassland. The Service has restored grasslands to native prairie in some of these WPAs. Each contains wetlands. Access to most of the WPAs is provided via U.S. Highway 93, State Highway 212, or paved secondary roads. The Montgomery WPA has paved access on two sides that is safe, in contrast to the other WPAs that are accessed via dirt or unsafe paved roads like U.S. Highway 93, without a turning lane.

2.2 Mitigation Measures and Best Management Practices

The same mitigation measures and best management practices as identified in the March 2022 Final EA would be applied to any proposed construction. In siting the new facilities footprint, the Service would avoid all wetlands and areas where native grasses have been restored.

3 Affected Environment and Environmental Consequences

3.1 Geology and Soils

The geology and soils at each of the WPAs under evaluation in the Mission Valley are the same as identified in the March 2022 Final EA. Impacts to the soils at any of the WPAs would be anticipated due to removal of topsoil for new buildings, roads, utilities, and parking lots. However, construction-related impacts would be temporary and only during the construction phase. Soil mitigation measures and BMPs would ensure minimized disturbance at that time, and efforts to landscape and restore areas post-construction would minimize long-term impacts. The addition of buildings and other impervious surfaces (e.g., driveways and parking lots) would be permanent changes to the property. No impacts are expected outside of the project area.

3.2 Hydrology and Wetlands

All five WPAs are located within the Mission Valley Charlo hydrogeologic unit, which contains a productive aquifer (CSKT 2020). The placement of a groundwater well in this aquifer would support the needs of the new facility regardless of the WPA selected. Water use by the staff (less than ten, including seasonal hires), would be minimal and not affect groundwater supply. As previously stated, wetlands would be avoided during siting and construction of the proposed facilities. The Service would also likely enhance these wetlands. In addition, any irrigation or flood control structures that are present on the property would be avoided during planning and construction of the proposed facilities.

3.3 Air Quality

The air quality at the Mission Valley is in an area classified as in attainment with air quality standards. Constructing the proposed facilities at any of the WPAs would result in the same direct, temporary impacts to air quality during the construction phase as described for Alternatives B, C, and D (see the March 2022 Final EA), including emissions and dust from the use of heavy equipment and other vehicles during the construction phase. The operation of Service facilities at any of the WPAs is not expected to contribute significantly to or exceed the current impacts of activities and seasonal changes to air quality in the surrounding area. No impacts are expected outside of the project area.

3.4 Habitat and Vegetation

The predominant vegetative cover at all five WPAs is grassland. Although these grasslands can provide some cover for wildlife, they are largely acquired agricultural and pasture lands dominated by non-native grass and forb species (Borth 1998). The removal of upland vegetation and placement of buildings and other infrastructure, such as roads, utilities, parking lots, and driveways would result in the removal of existing grasses and forbs and ultimately is a loss of currently undeveloped habitat. In siting this infrastructure, the Service would avoid areas that have been restored to native grasses and implement best management practices to minimize disturbance and remove invasive species. Again, disturbance of the existing wetlands and any riparian areas on any of the WPAs would be avoided.

3.5 Wildlife and Species of Special Management Concern

The proposed project areas provide moderate nesting cover for some species of waterfowl, upland game birds, and other ground nesting species such as short-eared owls. Other wildlife that potentially use the area include reptiles, small mammals, and invertebrates (e.g., garter snakes, shrews, voles, butterflies, moths, grasshoppers).

Federally threatened (T), endangered (E), and candidate (C) species whose range overlaps with the proposed action include grizzly bears (T; *Ursus arctos horribilis*), monarch butterfly (C; *Danaus plexippus*), the yellow billed cuckoo (T; *Coccyzus americanus*), Spalding's catchfly (T; *Silene spaldingii*), and Canada lynx (T; *Lynx canadensis*). The plant water howellia (*Howellia aquatilis*; formerly T) was delisted from the Endangered Species Act (ESA) in June 2021.

While the federally listed grizzly bear is known to utilize the surrounding areas for passageway and to forage, there is no designated critical habitat for this species on or adjacent to these sites (Service 2021). There are sites adjacent to and throughout the NWMT WMD that can serve as habitat for individuals displaced as a result of the proposed action.

Canada lynx occur on the greater Flathead Indian Reservation in montane spruce/fir forests, but there is no habitat at any of the alternative construction sites. None of the other federally

listed species described above have habitat on these sites, thus the Service anticipates there will be no effect by construction of the proposed facilities.

There are no known environmental trends likely to decrease potential habitat for the previously mentioned species in the vicinity of the proposed action. Similarly, there are no planned actions in the area that, when combined with the anticipated effects of the proposed action, would have a compounded negative impact on the quality or availability of habitat to federally listed or candidate species. Appendix C includes the signed Intra-Service Section 7 Biological Evaluation Form documenting the Services' findings under the ESA for the Montgomery WPA.

3.6 Visitor Use and Experience

All of the WPAs in the NWMT WMD have minimal to nonexistent visitation outside of the waterfowl and pheasant hunting seasons, activities that are important to the local community. In fact, annual refuge visitation reporting to all the WPAs in the Mission Valley showed 2,000 visits, primarily by waterfowl and upland bird hunters. Wildlife observation and photography activities were found to bring the next highest number of visitors to the district. However, there are there no qualitative visitation data specific to any of the WPAs under consideration for the location of new facilities.

In addition, there are no existing opportunities for interpretation, environmental education, or fishing on any of the WPAs. However, the placement of the proposed new facilities on any of the WPAs would result in a direct and long-term reduction in hunting opportunities on the selected WPA. Any other impacts on visitor experience would be comparable to those identified for Alternatives B, C, and D in the March 2022 Final EA.

3.7 Cultural Resources

As identified in the March 2022 Final EA, a variety of cultural resources, including precontact and historic archaeological sites as well as historic built environment resources are present in the Mission Valley. Per established protocol with the boundaries of the Flathead Indian Reservation, the Service consulted with the CSKT THPO regarding compliance with Section 106 of the National Historic Preservation Act, as previously described in Section 1.4. The THPO found no cultural concerns for cultural resources at this time, and a letter of concurrence was received from the THPO on June 17, 2024. The letter is included in Appendix C to this Supplemental EA. Additional clearance requests will be submitted in priority order if Montgomery is found to be unsuitable.

3.8 Land Use

The WPAs under consideration are comprised of open and undeveloped space preserved for the benefit of wildlife and habitat. Many of these WPAs are surrounded by privately held open grassland or cultivated farm field with residences in close proximity, all are within the boundary of the Flathead Indian Reservation.

Constructing the proposed facilities at any of the WPAs under consideration would be consistent with the mission of the NWMT WMD but would change a portion of the property from open space to a developed area. Increased traffic could occur on surrounding roadways with the presence of a maintenance shop, multi-purpose building, and a residence. However, staffing would be comprised of less than ten individuals on a daily basis (some of which would be seasonal hires). As a result, the increased traffic generated by the proposed new facilities would have minimal impact on local residents and road use. The proposed facilities does not include a visitor center so increased traffic from the public due to the facilities is not expected.

3.9 Socioeconomics

The WPAs under consideration are located in Lake County, Montana. Existing socioeconomic conditions for these WPAs are the same as described for the other alternatives in the March 2022 Final EA. The impacts of constructing the proposed facilities at any of the WPAs under consideration would be comparable to those identified for Alternatives B, C, and D in the March 2022 Final EA.

3.10 Environmental Justice

The 2019 racial composition of Lake County is 67% white, 0.3% African American, 24.3% American Indian, 0.3% Asian American, 4.6% Hispanic American, and 0.2% Native Hawaiian and/or Pacific Islander. According to a 2020 Environmental Protection Agency Environmental Justice (EJSCREEN) Report generated in 2021 for Lake County (Montana), there are no Superfund or Hazardous Treatment and/or Storage and/or Disposal Facilities within the county (EPA 2021). All other data for environmental justice parameters for Lake County are identified in the March 2022 Final EA. Environmental justice impacts for constructing the proposed new facilities at any of the WPAs under consideration would be the same as described for Alternatives B, C, and D in the March 2022 Final EA.

3.11 Summary of Analysis

Constructing the proposed facilities at any of the WPAs under consideration would be consistent with the purpose of and need for the Service to provide the infrastructure sufficient to support and manage habitat requirements on the NWMT WMD. Similar to Alternatives B, C, and D evaluated in the March 2022 Final EA, construction-related

activities would have minimal impacts on natural resources including wildlife, air quality, soils, and vegetation. Mitigation and BMPs would minimize impacts on these resources. There would be beneficial impacts on administration, public use, and recreation under the proposed action. The proposed action will support wildlife and habitat management while supporting ecotourism in the region.

4 References

References used are the same as identified in the March 2022 Final EA.

5 List of Supplement Preparers

Ben Gilles, Project Leader

Jacob Hourt, Refuge Manager

Amy Lisk, USFWS Biologist

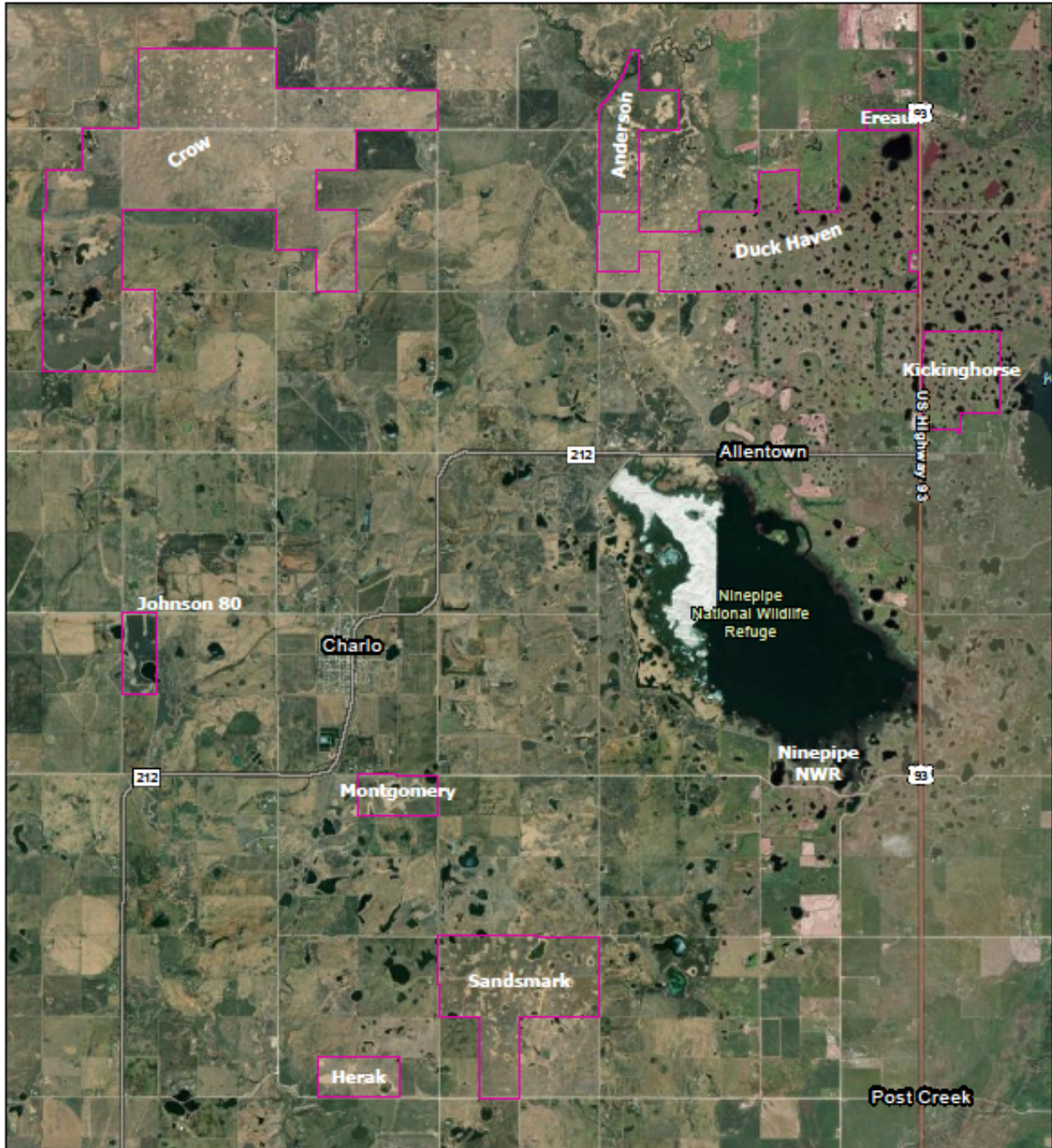
Dawn Roderique, Regional Planner (Contract)

APPENDIX A



U.S. Fish & Wildlife Service

Waterfowl Production Areas in the Mission Valley



 Waterfowl Production Area



APPENDIX B: PUBLIC COMMENT AND RESPONSES

The Service received 67 comment letters or email submittals on the proposed action. Of these, four were from non-governmental organizations, and 63 were from individuals. From these letters, the following substantive comments were received:

- 1. Many commenters expressed the concern that construction of facilities on a Waterfowl Production Area (WPA) is not an appropriate use for conservation. The construction of facilities would remove and fragment functioning wildlife habitat, reduce huntable acres in the Mission Valley, degrade the rural setting and privacy of residents and lower property values, and generate traffic and noise and dust and the potential for flooding.**

Response 1: The proposed facilities would support the WMD in effectively and efficiently managing the District's waterfowl and other migratory birds, as well as conserving and restoring wetland and grassland habitats. The architecture design of the proposed facilities would use natural colors and blend into the rural setting.

The five WPAs under consideration are largely agricultural and pasture lands. The predominant vegetative cover is grasslands, dominated by non-native grass and forb species, which provide some cover for wildlife. The removal of less than 12 acres of this upland vegetation and its replacement by buildings and other infrastructure would result in the loss of currently undeveloped habitat. In siting the proposed facilities, the Service would avoid areas that have been restored to native grasses and implement best management practices to minimize disturbance and remove invasive species. Disturbance of the existing wetlands and any riparian areas would be avoided.

Should the Service build on one of the WPAs, it will continue to look for opportunity reduce the construction footprint and options to reduce traffic. In addition, the Service will work to identify conservation property to purchase so that there would actually be a net gain in protected acres, habitat overall, and huntable acreage in the Mission Valley.

- 2. A visitor center is not needed and would generate too much traffic.**

Response 2: The Service has elected to eliminate the proposed visitor center.

- 3. Several commenters suggested that the Service should continue to look for a site to purchase or lease, particularly along the Highway 93 corridor (e.g., Ronan, St. Ignatius, Charlo, or Pablo) or use the current encampment north of the Ninepipes Reservoir Dike or at the Lost Trail NWR west of Kalispell where there are already buildings.**

Response 3: Highway 93 is a busy 2 lane road in the Mission Valley with a speed limit of 65 miles per hour. There are no turning lanes that would allow the slow-moving vehicles and heavy equipment that would be operated by the Service to safely turn into a location off the highway. The Service would have to trailer some equipment. In contrast, the WPAs under consideration have multiple access points off dirt or paved roads, without the need for a turning lane.

- 4. Service did not consider the potential for the facility to conflict with agricultural irrigation ditches and users of the Flathead Indian Irrigation Project.**

Response 4: The layout of the proposed facilities will be designed to avoid disturbance to agricultural irrigation ditches associated with the Flathead Indian Irrigation Project or any other irrigation or flood control facility that may be present on the Montgomery WPA.

- 5. Service failed to publish notices in local newspapers and hold public meetings. The comment period should be extended.**

Response 5: The Service emailed an announcement of a draft supplemental Environmental Assessment (EA) to local newspapers on March 4, 2024, at the start of a 30-day public comment period from March 4 through April 3. However, few newspapers published the announcement.

- 6. There may be unmarked human burials on the WPAs (early settlers to the region).**

Response 6: Should unmarked graves, burials, human remains, and archaeological or paleontological deposits be encountered during the construction of the proposed facilities, construction activities would be immediately halted in the vicinity of the discovery, the site secured, and reasonable measures undertaken to avoid or minimize harm to the discovery. The regional archaeologist and CSKT Tribal Historic Preservation Office will be notified.

- 7. The EA does not provide any detail on why the Service was unable to negotiate an alternative site.**

Response 7: The Draft Supplemental EA acknowledges the difficulty the Service encountered in seeking to acquire property for construction of the proposed facilities in the Mission Valley. On Pages 1 and 2, the process undertaken by the Service is described. Following the signing of a Finding of No Significant Impact on June 13, 2022, the Service reached out to realtors and property owners in the Mission Valley, looked at 26 properties, and showed interest in 15 of those. Although three offers were made, each of them had to adhere to the federal government's strict appraisal guidelines. Ultimately, none of the property owners accepted the federal government's appraised offers.

APPENDIX C: CONSULTATIONS



Preservation Department
Confederated Salish and Kootenai Tribes
P.O. Box 278
Pablo, MT 59855
(406) 675-2700 Ext. 1075

File Code: 016

June 17, 2024

Jacob Hourt

Manager- Northwest Montana Wetland Management District

U.S. Fish and Wildlife Service, Mountain-Prairie Region

53775 MT Hwy 212

Charlo, MT 59821

406-426-4921

jacob_hourt@fws.gov

RE: Northwest Montana WMD Administrative Facilities Complex

Dear Mr. Hourt:

Thank you for the opportunity to review the project. I have updated research for a completed a site search and consideration for cultural resources in the area. There are no cultural concerns at this time for cultural resources in the project area.

This letter will serve as the official response on behalf of cultural resource protection from the CSKT Preservation Tribal Historic Preservation Officer. I agree with language found in the Finding of No Significant Impact (FONSI). Our office will look forward to updates on the



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facilities during the construction phase. As stated in Cultural Clearance # 24-004 by Kathryn "Katie" McDonald, we may stop by to check in on progress during ground work. We may take photos as well.

I recommend to proceed with the project.

Thank you,

Kevin Askan

CSKT Preservation Department Head

Interim Tribal Historic Preservation Officer

C: 406-871-8970

O: 406-675-2700 ext. 1286

Intra-Service Section 7 Biological Evaluation Form - Region 6

Originating Person: Amy Lisk Thomas

Date Submitted: 05/09/2024

Telephone Number: 406-564-9890

I. Service Program and Geographic Area or Station Name:

Refuges, Mountain Prairie Region, Northwest Montana Wetland Management District (NWMT WMD)

II. Flexible Funding Program (e.g. Joint Venture, etc) if applicable:

Land and Water Conservation Funds and Migratory Bird Conservation Funds

III. Location:

The proposed construction sites are on Waterfowl Production Areas (WPA) within the Lake County portion of the Wetland Management District (LC WMD) which lies in the Mission Valley of western Montana and comprises 3,268 acres. Proposed sites range from .5 to 3 miles from Charlo, MT which is centrally located to the LC WMD and 3-7 miles southwest of Ronan.

Legal Descriptions:

Range 20N, 20W Sections 19 (Crow WPA), 22 (Anderson WPA), 23 (Duckhaven WPA) and 25 (Kickinghorse WPA)

Range 19N, 20W Sections 6 (Johnson 80 WPA), 8 (Montgomery WPA), 16 (Sandsmark WPA), and 17 (Herak WPA)

IV. Species/Critical Habitat:

Threatened (T), Endangered (E), and Candidate (C) species whose range overlaps with the proposed action include grizzly bears *Ursus arctos horribilis* (T), monarch butterfly *Danaus plexippus* (C), the yellow billed cuckoo *Coccyzus americanus* (T), Spalding's catchfly *Silene spaldingii* (T), and Canada lynx *Lynx canadensis* (T). Although initially considered during planning, Water howellia *Howellia aquatilis* (formerly T) was delisted from the Endangered Species Act in June 2021.

V. Project Description:

The U.S. Fish and Wildlife Service (USFWS) is proposing to construct new administrative facilities on currently owned land for the management of the Northwest Montana Wetland Management District (NWMT WMD), Ninepipe National Wildlife Refuge (NWR), Pablo NWR, Lost Trail NWR, and Swan River NWR due to the transfer of the Bison Range and associated facilities, to the Confederated Salish and Kootenai Tribes (CSKT). The new administrative facilities proposal includes the potential to build a multipurpose building, shop, storage, and residence, along with associated roads and utilities. Construction for the proposed project could impact up to 10 acres of land.

VI. Biological Justification:

The habitats within the proposed project areas are retired agricultural land and pastures dominated by non-native grass and forb species, and often noxious weeds. Although these sites can provide some cover for wildlife, they lack the diversity of native grass and forb species associated with healthy and intact grassland ecosystems and are in need to renovation or reconstruction.

Additionally, without the construction of new facilities, the USFWS will not be able to adequately maintain desirable habitat or continue to improve additional acres on surrounding USFWS land, thus having a more significant negative impact on available habitat for all species, including those listed as threatened or endangered, and other species of conservation concern.

VII. Determination of Effects:

(A) Description of Effects:

Construction activities may disturb grizzly bears moving through the area during work hours, however it would not disturb grizzly bears resting and foraging in secure areas of higher quality habitat. The valley already exhibits a variety of human activity and is bisected by roads, additional activity associated with this construction would have only insignificant effects. There are sufficient grassland and wetland habitats and pockets of cover on all sides of the project areas for grizzly bears to forage and shelter in if disturbed or affected by the proposed action. Thus, the project may affect but is not likely to adversely affect grizzly bears.

Canada lynx occur on the greater Flathead Indian Reservation in montane spruce and fir forests, but there is no habitat at any of the alternative construction sites; so there would be no effect. Neither yellow billed cuckoo nor Spalding’s catchfly have habitat on these sites, thus the USFWS anticipates there will be no effect by construction of the proposed facilities.

The Monarch butterfly is identified as “may be present” but not confirmed. Consultation under section 7 of the Endangered Species Act is not required for candidate species. The USFWS intends to take advantage of any opportunity they may have to conserve the species.

(B) Determination: Determine the anticipated effects of the proposed project on species and critical habitats listed in item IV. Check all applicable boxes and list the species (or attach a list) associated with each determination.

Determination

No Effect: This determination is appropriate when the proposed project will not directly or indirectly affect (neither negatively nor beneficially) individuals of listed/proposed/candidate species or designated/proposed critical habitat of such species. **No concurrence from ESFO required.**

May Affect but Not Likely to Adversely Affect: This determination is appropriate when the proposed project is likely to cause insignificant, discountable, or wholly beneficial effects to individuals of listed species and/or designated critical habitat. **Concurrence from ESFO required.**

 x

May Affect and Likely to Adversely Affect: This determination is appropriate when the proposed project is likely to adversely impact individuals of listed species and/or designated critical habitat. **Formal consultation with ESFO required.**

May Affect and Likely to Adversely Affect but the proposed action is for the purpose of endangered or threatened species recovery and falls under Region 6’s Programmatic Consultation on Service-initiated Recovery Actions: This determination is appropriate when adverse effects are likely but the project is designed to assist with recovery of listed species and/or designated critical habitat. **Concurrence from the ESFO that the project is covered by the programmatic consultation is required.**

May affect but Not Likely to Jeopardize candidate or proposed species/critical habitat: This determination is appropriate when the proposed project may affect, but is not

expected to jeopardize the continued existence of a species proposed for listing or a candidate species, or adversely modify an area proposed for designation as critical habitat. **Concurrence from ESFO optional.**

Likely to Jeopardize candidate or proposed species/critical habitat:

This determination is appropriate when the proposed project is reasonably expected to jeopardize the continued existence of a species proposed for listing or a candidate species, or adversely modify an area proposed for designation as critical habitat. **Conferencing with ESFO required.**

Signature _____ Date _____

Reviewing Ecological Services Office Evaluation (check all that apply):

A. Concurrence X

Nonconcurrence _____

Explanation for nonconcurrence:

B. Formal consultation required
List species or critical habitat unit _____

C. Effects are addressed in the Programmatic Consultation on R6's Recovery Program – no further consultation needed _____

D. Conference required
List species or critical habitat unit _____

Name of Reviewing ES Office Montana ES Field Office

Signature BENJAMIN CONARD Digitally signed by BENJAMIN CONARD
Date: 2024.05.15 08:57:48 -06'00' Date _____