

**Draft
Environmental Assessment**

Danford Pond Viewing Area Easement

10 June 2022



**Draft Environmental Assessment
MEPA, NEPA, MCA 23-1-110 CHECKLIST**

PART I. PROPOSED ACTION DESCRIPTION

- 1. Type of proposed state action:** The state proposes to acquire an Easement for Public Viewing Access and build an associated bird viewing area on the property at the corner of North Somers Road and Manning Road in Kalispell, Flathead County, Montana. The proposed viewing area will be within the existing 34-acre, Danford Conservation Easement and will provide viewing opportunity for wildlife species within and adjacent to Reed’s Slough. The Easement for Public Viewing Access would be donated to FWP and does not require funding; however, the construction of the viewing area will be paid for by FWP.

- 2. Agency authority for the proposed action:** FWP has collaborated with the landowners to acquire an Easement for Public Viewing Access on this property, and to develop a viewing area for the public to observe birds in Reed’s Slough. FWP has the authority to manage nongame wildlife species (MCA 87-5-104-106) and has been tasked with managing recreational activities surrounding nongame wildlife, including avian species.

- 3. Anticipated Schedule:**
Estimated Public Comment Period: June 10- July 5, 2022
Estimated Decision Notice: July 20, 2022
Estimated Construction Commencement Date: Summer 2023
Estimated Construction Completion Date: Fall 2023
Current Status of Project Design (% complete): 90%

- 4. Location affected by proposed action:** The location of the proposed easement and viewing area is township 27N, range 20W, section 6 in Flathead County Montana (Figure 1).

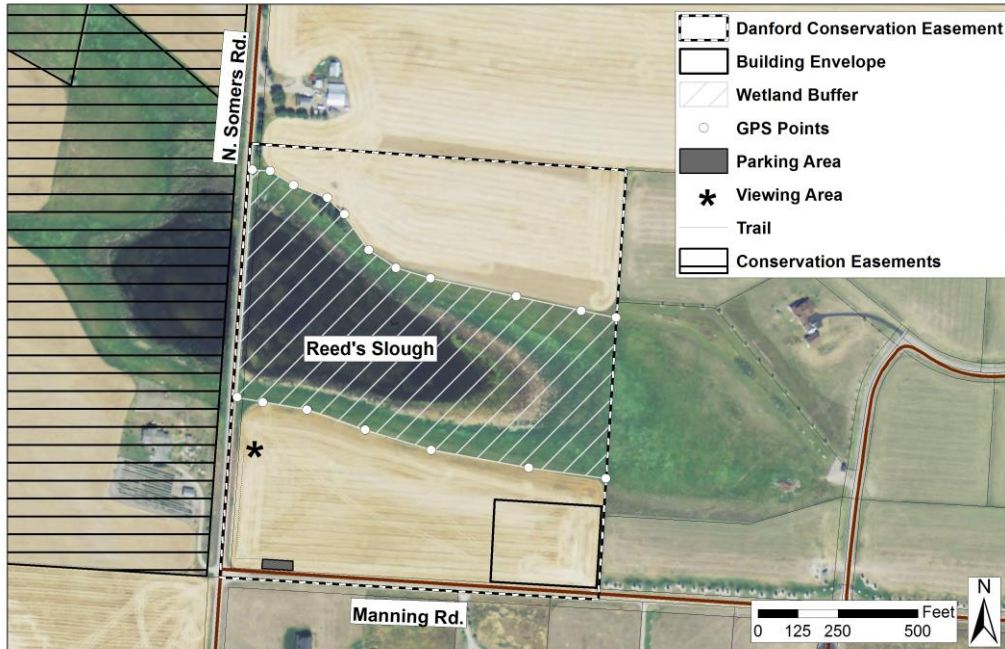


Figure 1. Location of proposed viewing area.

5. Project size -- estimate the number of acres that would be directly affected that are currently:

	<u>Acres</u>		<u>Acres</u>
(a) Developed:		(d) Floodplain	<u>0</u>
Residential	<u>0</u>		
Industrial	<u>0</u>	(e) Productive:	
(existing shop area)		Irrigated cropland	<u>0</u>
(b) Open Space/ Woodlands/Recreation	<u>0</u>	Dry cropland	<u><1</u>
(c) Wetlands/Riparian Areas	<u>0</u>	Forestry	<u>0</u>
		Rangeland	<u>0</u>
		Other	<u>0</u>

7. Permits, Funding & Overlapping Jurisdiction.

(a) **Permits:** NONE

(b) **Funding:**
FWP: \$25,000 _____

(c) **Other Overlapping or Additional Jurisdictional Responsibilities:**
Flathead County, land zoning

8. **Narrative summary of the proposed action:** Reed’s Slough is a wetland area in Flathead County that is heavily used annually by numerous migratory bird species from spring through fall. The slough can be accessed via North Somers Road, and birders often park along the roadway, causing a traffic hazard. A conservation easement (Danford Conservation Easement) was acquired for the property associated with the proposed viewing area easement, and FWP and Flathead Land Trust have collaborated with the landowners to plan a viewing area for the public to safely view wildlife within Reed’s Slough.

The viewing area would include a raised gravel parking area and raised trail to the viewing platform area (Figure 2). The actual viewing area would include informational kiosk and signage, as well as permanent public use binoculars.

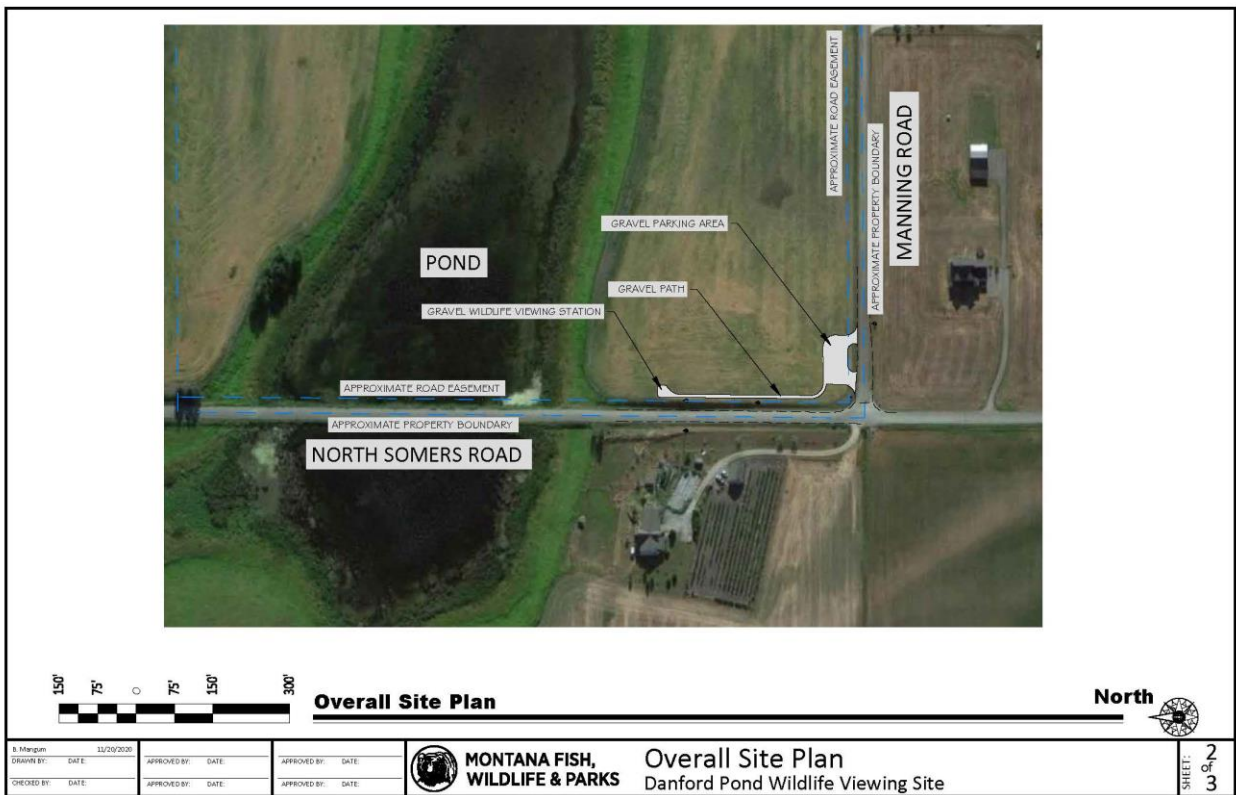


Figure 2. Proposed Viewing Area Schematic

9. **Description and analysis of reasonable alternatives:**

Alternative A: No Action Under Alternative A, no action would be taken. The Danford Conservation Easement would continue to protect Reed’s Slough for nesting and migratory waterfowl and other wetland species. People wishing to view birds in Reed’s Slough would continue to park in the North Somers Road right-of-way posing a traffic hazard. There would be no venue to provide school groups an opportunity to view waterfowl on Reed’s Slough, due to lack of parking facility.

Alternative B: Proposed Action Under the proposed action, FWP would acquire an Easement for Public Viewing at the described property and construct a parking area and associated bird viewing area that could be used by the public during the snow-free season. This viewing area would provide access for the public to safely enjoy bird watching at Reed's Slough. This viewing area would also provide a venue for school groups to learn about the migratory waterfowl of Montana. Providing a parking area will mitigate traffic issues associated with bird watchers parking along North Somers Road.

10. **Evaluation and listing of mitigation, stipulation, or other control measures enforceable by the agency or another government agency: NONE**

PART II. ENVIRONMENTAL REVIEW CHECKLIST

Evaluation of the impacts of the Proposed Action including secondary and cumulative impacts on the Physical and Human Environment.

A. PHYSICAL ENVIRONMENT

1. <u>LAND RESOURCES</u> Will the proposed action result in:	IMPACT					
	Unknown	None	Minor	Potentially Significant	Can Impact Be Mitigated	Comment Index
a. Soil instability or changes in geologic substructure?		x				
b. Disruption, displacement, erosion, compaction, moisture loss, or over-covering of soil, which would reduce productivity or fertility?			x			
c. Destruction, covering or modification of any unique geologic or physical features?		x				
d. Changes in siltation, deposition or erosion patterns that may modify the channel of a river or stream or the bed or shore of a lake?		x				
e. Exposure of people or property to earthquakes, landslides, ground failure, or other natural hazard?		x				

- a. There would be minor soil disruption of the current agricultural field for the construction of the parking area, elevated trail and viewing area.

2. <u>AIR</u> Will the proposed action result in:	IMPACT *					
	Unknown	None	Minor	Potentially Significant	Can Impact Be Mitigated	Comment Index
a. Emission of air pollutants or deterioration of ambient air quality? (Also see 13 (c).)		x				
b. Creation of objectionable odors?		x				
c. Alteration of air movement, moisture, or temperature patterns or any change in climate, either locally or regionally?		x				
d. Adverse effects on vegetation, including crops, due to increased emissions of pollutants?		x				
e. For P-R/D-J projects, will the project result in any discharge, which will conflict with federal or state air quality regulations? (Also see 2a.)		x				

3. <u>WATER</u> Will the proposed action result in:	IMPACT					
	Unknown	None	Minor	Potentially Significant	Can Impact Be Mitigated	Comment Index
a. Discharge into surface water or any alteration of surface water quality including but not limited to temperature, dissolved oxygen or turbidity?		x				
b. Changes in drainage patterns or the rate and amount of surface runoff?			x			
c. Alteration of the course or magnitude of floodwater or other flows?		x				
d. Changes in the amount of surface water in any water body or creation of a new water body?		x				
e. Exposure of people or property to water related hazards such as flooding?		x				
f. Changes in the quality of groundwater?		x				
g. Changes in the quantity of groundwater?		x				
h. Increase in risk of contamination of surface or groundwater?		x				
i. Effects on any existing water right or reservation?		x				
j. Effects on other water users as a result of any alteration in surface or groundwater quality?		x				
k. Effects on other users as a result of any alteration in surface or groundwater quantity?		x				
l. For P-R/D-J, will the project affect a designated floodplain? (Also see 3c.)		x				
m. For P-R/D-J, will the project result in any discharge that will affect federal or state water quality regulations? (Also see 3a.)		x				

- b. We anticipate that changes in runoff associated with the parking lot and viewing area would be minor and not result in significant change.

4. <u>VEGETATION</u> Will the proposed action result in?	IMPACT					
	Unknown	None	Minor	Potentially Significant	Can Impact Be Mitigated	Comment Index
a. Changes in the diversity, productivity or abundance of plant species (including trees, shrubs, grass, crops, and aquatic plants)?		x				
b. Alteration of a plant community?		x				
c. Adverse effects on any unique, rare, threatened, or endangered species?		x				
d. Reduction in acreage or productivity of any agricultural land?			x			
e. Establishment or spread of noxious weeds?			x		x	
f. For P-R/D-J, will the project affect wetlands, or prime and unique farmland?		x				
g. Other:						

- d. There would be a minor loss to agricultural lands due to the construction of the parking area and viewing area, but the rest of the property would remain in a productive agricultural field.
- e. There may be a small increase in weeds associated with soil disruption to build the viewing area and human use; however, weeds would be mitigated with annual spraying.

5. <u>FISH/WILDLIFE</u> Will the proposed action result in:	IMPACT					
	Unknown	None	Minor	Potentially Significant	Can Impact Be Mitigated	Comment Index
a. Deterioration of critical fish or wildlife habitat?		x				
b. Changes in the diversity or abundance of game animals or bird species?		x				
c. Changes in the diversity or abundance of nongame species?		x				
d. Introduction of new species into an area?		x				
e. Creation of a barrier to the migration or movement of animals?		x				
f. Adverse effects on any unique, rare, threatened, or endangered species?		x				
g. Increase in conditions that stress wildlife populations or limit abundance (including harassment, legal or illegal harvest or other human activity)?		x				
h. <u>For P-R/D-J</u> , will the project be performed in any area in which T&E species are present, and will the project affect any T&E species or their habitat? (Also see 5f.)		x				
i. <u>For P-R/D-J</u> , will the project introduce or export any species not presently or historically occurring in the receiving location? (Also see 5d.)		x				

B. HUMAN ENVIRONMENT

6. <u>NOISE/ELECTRICAL EFFECTS</u> Will the proposed action result in:	IMPACT					
	Unknown	None	Minor	Potentially Significant	Can Impact Be Mitigated	Comment Index
a. Increases in existing noise levels?			x			
b. Exposure of people to severe or nuisance noise levels?		x				
c. Creation of electrostatic or electromagnetic effects that could be detrimental to human health or property?		x				
d. Interference with radio or television reception and operation?		x				

- a. There could be minor increases in noise levels due to recreational visits to the viewing area, but we anticipate that to be negligible to the surrounding area and of short duration.

7. <u>LAND USE</u> Will the proposed action result in:	IMPACT					
	Unknown	None	Minor	Potentially Significant	Can Impact Be Mitigated	Comment Index
a. Alteration of or interference with the productivity or profitability of the existing land use of an area?		x				
b. Conflicted with a designated natural area or area of unusual scientific or educational importance?		x				
c. Conflict with any existing land use whose presence would constrain or potentially prohibit the proposed action?		x				
d. Adverse effects on or relocation of residences?		x				

8. <u>RISK/HEALTH HAZARDS</u>	IMPACT					
	Unknown	None	Minor	Potentially Significant	Can Impact Be Mitigated	Comment Index
Will the proposed action result in:						
a. Risk of an explosion or release of hazardous substances (including, but not limited to oil, pesticides, chemicals, or radiation) in the event of an accident or other forms of disruption?		x				
b. Affect an existing emergency response or emergency evacuation plan, or create a need for a new plan?		x				
c. Creation of any human health hazard or potential hazard?		x				
d. For P-R/D-J, will any chemical toxicants be used? (Also see 8a)		x				

9. <u>COMMUNITY IMPACT</u>	IMPACT					
	Unknown	None	Minor	Potentially Significant	Can Impact Be Mitigated	Comment Index
Will the proposed action result in:						
a. Alteration of the location, distribution, density, or growth rate of the human population of an area?		x				
b. Alteration of the social structure of a community?		x				
c. Alteration of the level or distribution of employment or community or personal income?		x				
d. Changes in industrial or commercial activity?		x				
e. Increased traffic hazards or effects on existing transportation facilities or patterns of movement of people and goods?		x				

10. <u>PUBLIC SERVICES/TAXES/UTILITIES</u> Will the proposed action result in:	IMPACT					
	Unknown	None	Minor	Potentially Significant	Can Impact Be Mitigated	Comment Index
a. Will the proposed action have an effect upon or result in a need for new or altered governmental services in any of the following areas: fire or police protection, schools, parks/recreational facilities, roads or other public maintenance, water supply, sewer or septic systems, solid waste disposal, health, or other governmental services? If any, specify:		x				
b. Will the proposed action have an effect upon the local or state tax base and revenues?		x				
c. Will the proposed action result in a need for new facilities or substantial alterations of any of the following utilities: electric power, natural gas, other fuel supply or distribution systems, or communications?		x				
d. Will the proposed action result in increased use of any energy source?		x				
e. Define projected revenue sources		x				
f. Define projected maintenance costs.			x			

11. <u>AESTHETICS/RECREATION</u> Will the proposed action result in:	IMPACT					
	Unknown	None	Minor	Potentially Significant	Can Impact Be Mitigated	Comment Index
a. Alteration of any scenic vista or creation of an aesthetically offensive site or effect that is open to public view?		x				
b. Alteration of the aesthetic character of a community or neighborhood?		x				
c. Alteration of the quality or quantity of recreational/tourism opportunities and settings? (Attach Tourism Report.)				x		
d. <u>For P-R/D-J</u> , will any designated or proposed wild or scenic rivers, trails or wilderness areas be impacted? (Also see 11a, 11c.)		x				

- c. We anticipate a positive significant impact for recreation. This would be beneficial to bird viewing in the Flathead Valley.

12. <u>CULTURAL/HISTORICAL RESOURCES</u> Will the proposed action result in:	IMPACT					
	Unknown	None	Minor	Potentially Significant	Can Impact Be Mitigated	Comment Index
a. Destruction or alteration of any site, structure or object of prehistoric historic, or paleontological importance?		x				
b. Physical change that would affect unique cultural values?		x				
c. Effects on existing religious or sacred uses of a site or area?		x				
d. <u>For P-R/D-J</u> , will the project affect historic or cultural resources? Attach SHPO letter of clearance. (Also see 12.a.)		x				

SIGNIFICANCE CRITERIA

13. <u>SUMMARY EVALUATION OF SIGNIFICANCE</u>	IMPACT					
	Unknown	None	Minor	Potentially Significant	Can Impact Be Mitigated	Comment Index
Will the proposed action, considered as a whole:						
a. Have impacts that are individually limited, but cumulatively considerable? (A project or program may result in impacts on two or more separate resources that create a significant effect when considered together or in total.)		x				
b. Involve potential risks or adverse effects, which are uncertain but extremely hazardous if they were to occur?		x				
c. Potentially conflict with the substantive requirements of any local, state, or federal law, regulation, standard or formal plan?		x				
d. Establish a precedent or likelihood that future actions with significant environmental impacts will be proposed?		x				
e. Generate substantial debate or controversy about the nature of the impacts that would be created?		x				
f. For P-R/D-J, is the project expected to have organized opposition or generate substantial public controversy? (Also see 13e.)		x				
g. For P-R/D-J, list any federal or state permits required.		x				

PART III. NARRATIVE EVALUATION AND COMMENT

FWP finds that the proposed actions outlined in Alternative B would positively impact the wildlife viewing opportunities in the Flathead Valley and reduce traffic hazards associated with bird watchers stopping in the roadway on North Somers Road. Importantly, the proposed actions would also enhance the recreational experience of visitors and residents to the Flathead Valley now and for years to come. The construction of the parking area, trail and associated viewing area would have some short-term, minor impacts, but these are outweighed by the long-term benefits that these improvements will bring to wildlife viewing and educational opportunities.

PART IV. PUBLIC PARTICIPATION

1. Public involvement:

The public will be notified in the following manners to comment on this current EA, the proposed action and alternatives:

- One public notice in each of these papers: Helena Independent Record, The Daily Inter Lake, Flathead Beacon
- One statewide press release;
- Public notice on the Fish, Wildlife & Parks web page: <https://fwp.mt.gov/news/public-notices>.

Notice of the availability of this environmental assessment will be distributed to the neighboring landowners and interested parties to ensure their knowledge of the proposed project.

This level of public notice and participation is appropriate for a project of this scope having limited impacts, many of which can be mitigated.

2. Duration of comment period:

The public comment period will extend for (26) twenty-six days. Written comments will be accepted until 5:00 p.m., July 5, 2022 and can be mailed or emailed to the addresses below:

Jessy Coltrane
Re: Danford Viewing Area
490 N. Meridian Road,
Kalispell, MT 59901

or JColtrane@mt.gov

PART V. EA PREPARATION

- 1. Based on the significance criteria evaluated in this EA, is an EIS required? (YES/NO)? NO**

If an EIS is not required, explain why the EA is the appropriate level of analysis for this proposed action. No significant negative impacts associated with this easement or associated viewing area.

- 2. Person(s) responsible for preparing the EA:**
Jessy Coltrane
- 3. List of agencies or offices consulted during preparation of the EA:**
 - a. Flathead Land Trust

APPENDIX A
23-1-110 MCA
PROJECT QUALIFICATION CHECKLIST

Date: 3 June 2022

Person Reviewing: Jessy Coltrane

Project Location: Manning Road/North Somers Road, Kalispell, Flathead County,
Montana

Description of Proposed Work:

The following checklist is intended to be a guide for determining whether a proposed development or improvement is of enough significance to fall under 23-1-110 rules. (Please check all that apply and comment as necessary.)

- [] A. New roadway or trail built over undisturbed land?
Comments:
- [] B. New building construction (buildings <100 sf and vault latrines exempt)?
Comments:
- [] C. Any excavation of 20 c.y. or greater?
Comments:
- [] D. New parking lots built over undisturbed land or expansion of existing lot that increases parking capacity by 25% or more?
Comments:
- [] E. Any new shoreline alteration that exceeds a doublewide boat ramp or handicapped fishing station?
Comments:
- [] F. Any new construction into lakes, reservoirs, or streams?
Comments:
- [] G. Any new construction in an area with National Registry quality cultural artifacts (as determined by State Historical Preservation Office)?
Comments:

- H. Any new above ground utility lines?
Comments:

- I. Any increase or decrease in campsites of 25% or more of an existing number of campsites?
Comments:

- J. Proposed project significantly changes the existing features or use pattern; including effects of a series of individual projects?
Comments:

If any of the above are checked, 23-1-110 MCA rules apply to this proposed work and should be documented on the MEPA/HB495 CHECKLIST. Refer to MEPA/HB495 Cross Reference Summary for further assistance.