

# **Environmental Assessment Checklist**

## **Manley Ditch Rehabilitation**

**January 8, 2020**



***Montana Fish,  
Wildlife & Parks***



**3. Agency Authority for the Proposed Action:**

ARM 12.8.709 – Development and Improvements allowed at Fishing Access Sites.

**4. Name, Address and Phone Number of Project Sponsor:**

Kayla Mehrens, City of Bozeman  
Mailing Address: P.O. Box 1230, Bozeman, MT 59771-0640  
Physical Address: 20 E. Olive Street, Bozeman, MT 59715  
Day Phone: 406-582-2270  
E-Mail: kmehrens@bozeman.net

**5. Anticipated Schedule:**

Estimated Construction Commencement Date: Summer 2021  
Estimated Completion Date: Fall 2021  
Current Status of Project Design (% complete): 99% complete

**6. Narrative Summary of the Proposed Action and Need for the Action:**

The proposed project includes rehabilitating and realigning an abandoned (relic) irrigation ditch (Manley Ditch). The ditch historically crossed under the Montana Rail Link (MRL) railroad tracks and distributed flows to agricultural fields northeast of the railroad tracks. The ditch was abandoned and the culvert outlet plugged when the areas north and south of the MRL tracks were developed. Proposed improvements include constructing a new conveyance ditch from the MRL culvert outlet which would flow northwest along the northeast side of the MRL tracks and convey stormwater flows into a nearby wetland associated with the Montana FWP Cherry River Fishing Access Site. At the Manley Ditch Outfall, an approximately 30-foot long by 14-foot wide bio-retention basin would be excavated with 2:1 side-slopes to provide natural water quality treatment. A concrete weir and 4-foot wide trash grate would be installed at the outlet side of the basin to control the water level. The depth of the excavated basin would provide close contact with the water table. The bottom of the basin would be planted with wetland plant species while the side-slopes of the basin would be seeded with wetland species and upland grasses.

In addition, at the request of FWP, 6-inch, D50 cobbles for bank protection would be installed around and under a small wooden pedestrian bridge on the constructed unnamed drain ditch that flows from the wetland. The bank protection is included to prevent erosion during storm events.

The purpose of the project is to improve stormwater conveyance within the City of Bozeman’s stormwater system for the area north of Interstate 90 and east of the Interstate 90 Frontage Road. Currently, stormwater that flows within Manley Ditch is blocked south of the MRL tracks, which has resulted in ponding and flooding in this area.

**7. Project Size -- Estimate the number of acres that would be directly affected:**

To construct the Manley Ditch outfall and install bank protection, the following acres would be affected.

<ul style="list-style-type: none"> <li>• Manley Ditch Outfall</li> <li>• 6-inch Cobble Bank Protection</li> </ul>	<p>0.016 acre of emergent wetland 0.02 acre of upland grassland vegetation 0.001 acre emergent &amp; shrub-scrub wetland</p> <hr style="width: 100%;"/>
Total	0.037 acre

**8. Permits, Funding & Overlapping Jurisdiction:**

<u>Agency Name</u>	<u>Permits</u>	<u>Date Filed</u>
US Army Corps of Engineers	Clean Water Act Section 404	December 21, 2020

**Funding:**

<u>Agency Name</u>	<u>Funding Amount</u>
City of Bozeman	Pending

**Other Overlapping or Additional Jurisdictional Responsibilities:**

<u>Agency Name</u>	<u>Type of Responsibility</u>
Montana Fish, Wildlife, and Parks	Approval

**9. Description and Analysis of Reasonable Alternatives:**

Only Alternative A (No Action) and Alternative B (Proposed Action) were considered. Neither the proposed action alternative nor the no action alternative would have significant negative environmental consequences.

**Alternative A (No Action):** Approval by Montana FWP for construction on the Cherry River Fishing Access Site would be denied and the Manley Ditch outfall would not be constructed. In addition, bank protection would not be installed along the existing drain ditch at the pedestrian bridge. The No Action Alternative would have no environmental or potentially negative consequences at the FWP Fishing Access Site, and existing conditions would remain. Stormwater conveyance in the area, however, would continue to be impacted if a new outfall is not constructed in the area.

**Alternative B (Proposed Action):** As Described under Part I, paragraph 6 (Description of Project), the proposed action would include constructing a new stormwater outfall within the FWP Cherry River Fishing Access site. Approval from FWP for construction of the outfall would be required as part of the proposed project. In addition, at the request of FWP, 6-inch, D50 cobbles for bank protection would be installed around and under a small wooden pedestrian bridge on the constructed unnamed drain ditch that flows from the wetland. (Plan Sheets PP4 and D2 attached).

**10. Evaluation and listing of mitigation, stipulation, or other control measures enforceable by the agency or another government agency:**

- As part of the approval, FWP requested that bank protection be installed around and under a small wooden pedestrian bridge on the constructed drain ditch that flows from the wetland to prevent erosion during storm events. 6-inch, D50 cobbles have been included as part of the project.
- FWP requested that water quality measures be implemented as part of the project to filter stormwater before the outfall. Three additional bio-retention basins are included along Manley Ditch, upstream from the bio-retention basin at the outfall, to facilitate this request.
- The bottom of the basins would be planted with wetland plant species while the slopes of the basins would be seeded with wetland species and upland grasses.
- No other mitigation measures are proposed.

**PART II. ENVIRONMENTAL REVIEW CHECKLIST**

Abbreviated Checklist – The degree and intensity determines extent of Environmental Review. An abbreviated checklist may be used for those projects that are not complex, controversial, or are not in environmentally sensitive areas.

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

**Affected Environment:** The proposed project is located within the southeastern portion of the FWP Cherry River Fishing Access site. The area is made up of a large emergent wetland and a drain ditch that conveys flows from the wetland and eventually into the East Gallatin River. Several unpaved trails are also found in the general area of the proposed outfall. The MRL railroad tracks are to the south, while the Interstate-90 Frontage Road is to the southwest. Commercial development is located to the east of the proposed project site.

**TABLE 1. PHYSICAL ENVIRONMENT**

Will the proposed action result in potential impacts to:	Unknown	Potentially Significant	Minor	None	Can Be Mitigated	Comments Provided
1. Geology and soil quality, stability and moisture				X		
2. Air quality or objectionable odors				X		#1
3. Water quality, quantity and distribution (surface or groundwater)			X		X	#2
4. Existing water right or reservation				X		
5. Vegetation cover, quantity and quality			X		X	#3
6. Unique, endangered, or fragile vegetative species				X		#4
6. Terrestrial or aquatic life and/or habitats				X		#5
7. Unique, endangered, or fragile wildlife or fisheries species				X		#6
8. Introduction of new species into an area				X		
9. Changes to abundance or movement of species				X		

1. Minor temporary dust and vehicle emissions would be created during construction of the outfall and during the installation of the new bank protection. These impacts would be short-term and last only for the duration of construction, which is one to two months.
2. Adding a new stormwater outfall to an existing wetland would have a minor, negative impact on water quality within the area. To mitigate these effects, an approximately 30-foot long by 14-foot wide bio-retention basin would be excavated at the outfall. A concrete weir and 4-foot wide trash grate would be installed at the outlet side of the basin to control water level. The bottom of the basin would be planted with wetland plant species, while the slopes of the basin would be seeded with wetland species and upland grasses. Using this bio-retention basin at the outfall, and an additional three drop structures and bio-retention basins along the length of the proposed ditch, it is anticipated that water quality impacts would be negligible. In addition, the installation of bank protection along the constructed drain ditch, would prevent erosion at this location during storm events.

3. Approximately 0.016 acre of emergent wetland and 0.02 acre of upland grassland vegetation would be temporarily and permanently impacted to construct the Manley Ditch Outfall. In addition, approximately 0.001 acre of emergent and shrub-scrub wetland would be impacted in order to install the bank protection. To help mitigate these effects, the outfall bio-retention basin would be planted with wetland plant species while the slopes of the basin would be seeded with wetland species and upland grasses. Therefore, impacts to vegetation would be negligible.
4. A letter dated May 1, 2020, was sent to US Fish and Wildlife Service (USFWS) requesting comments and concerns on the proposed project. The USFWS responded on May 13, 2020, stating they had no comments regarding federally-listed or proposed threatened or endangered plant species (Letter and email correspondence attached).

A list of Montana Plant Species of Concern that may occur within the project vicinity was pulled from Montana Natural Heritage Program. Seven Plant Species of Concern were listed as potentially occurring in the general area (List attached). Given the limited footprint for the proposed project, and no identified suitable habitat for the listed species, no permanent impacts are anticipated.

5. Given the limited footprint for the proposed project, no permanent impacts to terrestrial or aquatic life and/or habitats is anticipated. Disturbed areas at the bio-retention basin would be seeded once construction was complete. Construction activities may affect individuals through noise, vibration, human activity, and construction equipment. These impacts would be temporary and cease once construction is complete.
6. A letter dated May 1, 2020, was sent to USFWS requesting comments and concerns on the proposed project. The USFWS responded on May 13, 2020, stating they had no comments regarding federally-listed or proposed threatened or endangered wildlife species or other trust species (letter and email correspondence attached).

A list of Montana Wildlife Species of Concern that may occur within the project vicinity was pulled from Montana Natural Heritage Program. Ten wildlife Species of Concern were listed as potentially occurring in the general area (list attached). Given the limited footprint for the proposed project and no critical habitat identified within the project area, no permanent impacts to these species is anticipated. Construction activities may affect individuals through noise, vibration, human activity, and construction equipment. These impacts would be temporary and cease once construction is complete.

**TABLE 2. HUMAN ENVIRONMENT**

Will the proposed action result in potential impacts to:	Unknown	Potentially Significant	Minor	None	Can Be Mitigated	Comments Provided
1. Noise and/or electrical effects				X		#1
2. Land use				X		
3. Risk and/or health hazards				X		
4. Community impact				X		
5. Public services/taxes/utilities			X			#2
6. Potential revenue and/or project maintenance costs			X			#3
7. Aesthetics and recreation				X		#4
8. Cultural and historic resources				X		#5
9. Evaluation of significance				X		
10. Generate public controversy				X		

1. No permanent increases in noise levels are anticipated under the proposed project; however, some short-term, minor, localized noise impacts would be anticipated during construction. Construction noise impacts would likely occur during any earthwork period of construction. These noise impacts would be intermittent and cease once construction was completed.
2. The proposed project would have a beneficial impact on public services/utilities as the intent of the project is to improve stormwater conveyance in the area and reduce flooding south of the MRL railroad tracks.
3. Minor maintenance of the outfall and trash rack would be required once the project was built. The City would conduct this maintenance. Overall, this is anticipated to have a negligible impact.
4. In order to construct the Manley Ditch Outfall, a portion of an existing access trail to the fishing access site would need to be slightly realigned. While work is occurring at that location, access to the trail may be temporarily closed. This closure would be short-term, with the realigned trail open to the public once construction is complete. Therefore, access impacts to the fishing access site are anticipated to be negligible.

Impacts to aesthetics are not anticipated as the proposed outfall would be designed and vegetated to blend with the existing environment and would not alter the existing line, form, texture, and color of the surrounding character of the landscape.

5. A letter dated May 1, 2020, was sent to the State Historic Preservation Office (SHPO) requesting comments and concerns on the proposed project and a list of recorded sites within the project area. SHPO provided 1994 Cultural Resources Survey Report that was prepared for the FWP Cherry River Fishing Access Site (report attached). No cultural resources were identified within the proposed project area. Therefore, the proposed project would have no effect on historic sites and properties.

### **PART III. NARRATIVE EVALUATION AND COMMENT**

All of the pertinent and potential impacts of the proposed project have been reviewed and analyzed. The proposed project is not complex, not controversial, and would have negligible impacts on identified wetland areas within the project limits. There are no significant environmental or economic impacts associated with the proposed project.

### **PART IV. PUBLIC PARTICIPATION**

#### **1. Public involvement:**

This EA will be advertised on the FWP's website and through a legal ad in the Helena Independent Record and Bozeman Daily Chronicle announcing a public comment period. 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 (30) thirty days following the publication of the notice in area newspaper. Written comments will be accepted until 5:00 p.m. on February 8, 2021.

### **PART V. EA PREPARATION**

#### **1. Based on the significance criteria evaluated in this EA, is an EIS required:**

There are no significant environmental or economic impacts associated with the proposed alternative; therefore, an EIS is not required and an EA is the appropriate level of documentation.

#### **2. Person(s) Responsible for Preparing the EA:**

Emily Peterson – DOWL Environmental Manager  
Helena, MT 59601

#### **3. List of agencies or offices consulted during preparation of the EA:**

- Montana State Historic Preservation Office
- US Fish and Wildlife Service
- Montana Natural Heritage Program
- US Army Corps of Engineers
- FWP Bozeman Field Office

### **PART VI. LIST OF ATTACHMENTS**

- Project Plan Sheets
- USFWS Correspondence
- Montana Natural Heritage Program Species of Concern List
- SHPO Correspondence
- 1994 Cultural Resources Survey Report for the Cherry River Fishing Access Site.