## CHECKLIST ENVIRONMENTAL ASSESSMENT

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|---|---|
| **Project Name:** | Tongue River Slough Restoration Project |
| **Proposed Implementation Date:** | 2025 |
| **Proponent:** | City of Miles City Public Works/ KLJ Engineering |
| **Location:** | T8N-R47E-Sec 22, 27, 28, 32 Old Tongue River Channel |
| **County:** | Custer County |

# Definitions

**DNRC- Montana Department of Natural Resources and Conservation**
**Joint Application- Joint Application 310/404 for proposed work in Montana's streams, wetlands, floodplains and other water bodies**

## I. TYPE AND PURPOSE OF ACTION

The City of Miles City in conjunction with KLJ Engineering, henceforth referred to as proponent has requested a temporary Nav River Land Use License from the DNRC Eastern Land Office for the purpose of restoring the abandoned Tongue River Channel (commonly referred to as The Tongue River Slough) to allow for proper streamflow and drainage. Currently the Tongue River Slough does not adequately function for this purpose. Proposed work in the project call for regrading, debris and vegetation removal, installation of culverts followed by reclamation and revegetation of the site. The project will allow the slough to drain and adequately remove stormwater in a large precipitation event.

## II. PROJECT DEVELOPMENT

**1. PUBLIC INVOLVEMENT, AGENCIES, GROUPS OR INDIVIDUALS CONTACTED:**
*Provide a brief chronology of the scoping and ongoing involvement for this project.*
The proponent submitted their Joint Application as well as an application for Land Use License in a navigable riverbed to the DNRC Eastern Land Office on February 13th$^{th}$, 2025. With these applications they also submitted a supporting information on the type of work to be conducted as well as mitigation plans to reduce impacts to the stream and exhibits detailing the stream restoration work to be completed.

The Proponent has consulted with the U.S. Army Corps of Engineers, Custer County Conservation District, Custer County Floodplain Administrator, Montana Department of Environmental Quality and the DNRC Trust Land Management Division.

The City of Miles City and KLJ Engineering hosted public meetings regarding the project on the following dates.

April 21$^{st,}$ 2020- Miles City Flood Awareness Meeting
May 24$^{th}$-27th, 2021- Miles City Flood Awareness Meeting
May 17$^{th}$-18$^{th}$, 2022- Miles City Flood Awareness Meeting
May 24$^{th}$-27$^{th}$, 2023- Miles City Flood Awareness Meeting
May 1$^{st}$ -2$^{nd}$, 2024- Miles City Flood Awareness Meeting

The DNRC Eastern Land Office has tiered this environmental assessment check list to the Joint Application 310/404 review and supporting information document. The Joint Application 310/404 is available for review from the City of Miles City, and KLJ Engineering.

**2. OTHER GOVERNMENTAL AGENCIES WITH JURISDICTION, LIST OF PERMITS NEEDED:**

Montana Department of Environmental Quality; Permitting and Compliance Division; Water Protection Bureau:
401 Permit, 318 Permit

Montana Department of Fish, Wildlife and Parks
United State Department of Defense; U.S. Army Corp of Engineers:
Nationwide Permit 12, 404 Permit
Custer County Conservation District:
Section 310 Permit

**3. ALTERNATIVES CONSIDERED:**

Alternative A- Issue the proponent a temporary Navigable River LUL for workspace within any State-owned parcels along the construction corridor required to complete the proposed Tongue River Slough restoration project.

Alternative B- No Action

## III. IMPACTS ON THE PHYSICAL ENVIRONMENT

- *RESOURCES potentially impacted are listed on the form, followed by common issues that would be considered.*
- *Explain POTENTIAL IMPACTS AND MITIGATIONS following each resource heading.*
- *Enter "NONE" If no impacts are identified or the resource is not present.*

**4. GEOLOGY AND SOIL QUALITY, STABILITY AND MOISTURE:**
*Consider the presence of fragile, compactable or unstable soils. Identify unusual geologic features. Specify any special reclamation considerations. Identify any cumulative impacts to soils.*

Alternative A- Geology and Soils are addressed in several sections of the Joint Application Permit. The DNRC accepts and tiers to the impacts listed in the application.

Alternative B- No Impact.

**5. WATER QUALITY, QUANTITY AND DISTRIBUTION:**
*Identify important surface or groundwater resources. Consider the potential for violation of ambient water quality standards, drinking water maximum contaminant levels, or degradation of water quality. Identify cumulative effects to water resources.*

Alternative A- Water Quality, Quantity and Distribution are addressed in the Joint Application Permit. The DNRC accepts and tiers to the impacts listed in the application.

Alternative B- No Impact

**6. AIR QUALITY:**
*What pollutants or particulate would be produced? Identify air quality regulations or zones (e.g. Class I air shed) the project would influence. Identify cumulative effects to air quality.*

Alternative A- Construction could be expected to temporarily impact local ambient air-quality. This impact would be produced through fugitive dust as well as emission from construction equipment. This temporary localized impact should only take place on this tract of trust land during the short term construction and restoration phase of the project.

Alternative B- No Impact

**7. VEGETATION COVER, QUANTITY AND QUALITY:**
*What changes would the action cause to vegetative communities? Consider rare plants or cover types that would be affected. Identify cumulative effects to vegetation.*

Alternative A- Vegetation Cover is addressed within the Joint Application Permit. The DNRC accepts and tiers to the impacts listed in the application.

Alternative B- No Impact

**8. TERRESTRIAL, AVIAN AND AQUATIC LIFE AND HABITATS:**
*Consider substantial habitat values and use of the area by wildlife, birds or fish. Identify cumulative effects to fish and wildlife.*

Alternative A- Terrestrial, Avian and Aquatic Life impacts and mitigations are addressed within the Joint Application Permit. The DNRC accepts and tiers to the impacts listed in the application.

Alternative B- No Impact

**9. UNIQUE, ENDANGERED, FRAGILE OR LIMITED ENVIRONMENTAL RESOURCES:**
*Consider any federally listed threatened or endangered species or habitat identified in the project area. Determine effects to wetlands. Consider Sensitive Species or Species of special concern. Identify cumulative effects to these species and their habitat.*

Alternative A- Unique, Endangered, Fragile or Limited Environmental Resources impacts and mitigations are addressed withing the Joint Application Permit. The DNRC accepts and tiers to the impacts listed in the application

Alternative B- No Impact

**10. HISTORICAL AND ARCHAEOLOGICAL SITES:**
*Identify and determine effects to historical, archaeological or paleontological resources.*

Alternative A- A Class I (literature review) level review was conducted by the DNRC staff archaeologist. This entailed inspection the DNRC's sites/site leads database, land use records, General Land Office maps, and control cards for potential cultural resources in the proposed project area. That series of searches indicated that no cultural or paleontological resources have been identified in the project area of potential effect. No additional archaeological investigative work is recommended. The proposed activities are expected to have No Effect to Antiquities.

Alternative B- No Impact

**11. AESTHETICS:**
*Determine if the project is located on a prominent topographic feature, or may be visible from populated or scenic areas. What level of noise, light or visual change would be produced? Identify cumulative effects to aesthetics.*

Alternative A- Aesthetics are addressed within the Joint Application Permit. The DNRC accepts and tiers to the impacts listed in the application.

Alternative B- No Impact

**12. DEMANDS ON ENVIRONMENTAL RESOURCES OF LAND, WATER, AIR OR ENERGY:**
*Determine the amount of limited resources the project would require. Identify other activities nearby that the project would affect. Identify cumulative effects to environmental resources.*

Alternative A- Demands on Environmental Resources is addressed within the Joint Application Permit. The DNRC accepts and tiers to the impacts listed in the application.

Alternative B- No Impact

**13. OTHER ENVIRONMENTAL DOCUMENTS PERTINENT TO THE AREA:**
*List other studies, plans or projects on this tract. Determine cumulative impacts likely to occur as a result of current private, state or federal actions in the analysis area, and from future proposed state actions in the analysis area that are under MEPA review (scoped) or permitting review by any state agency.*

*None*

## IV. IMPACTS ON THE HUMAN POPULATION

- *RESOURCES potentially impacted are listed on the form, followed by common issues that would be considered.*
- *Explain POTENTIAL IMPACTS AND MITIGATIONS following each resource heading.*
- *Enter "NONE" If no impacts are identified or the resource is not present.*

**14. HUMAN HEALTH AND SAFETY:**
*Identify any health and safety risks posed by the project.*

Alternative A- There may be potential health and safety risks associated with this project. These risks can be mitigated with proper training and on-site safety protocols. The work would be conducted by people trained in this field of work.

Alternative B- No Impact

**15. INDUSTRIAL, COMMERCIAL AND AGRICULTURE ACTIVITIES AND PRODUCTION:**
*Identify how the project would add to or alter these activities.*

Alternative A- No impacts expected
Alternative B- No Impact

**16. QUANTITY AND DISTRIBUTION OF EMPLOYMENT:**
*Estimate the number of jobs the project would create, move or eliminate. Identify cumulative effects to the employment market.*

Alternative A- This project has the potential to create jobs with further development possibilities. The amount of jobs if any is unknown at this time

Alternative B- No Impact

**17. LOCAL AND STATE TAX BASE AND TAX REVENUES:**
*Estimate tax revenue the project would create or eliminate. Identify cumulative effects to taxes and revenue.*

Alternative A- No impact expected
Alternative B- No impact.

**18. DEMAND FOR GOVERNMENT SERVICES:**
*Estimate increases in traffic and changes to traffic patterns. What changes would be needed to fire protection, police, schools, etc.? Identify cumulative effects of this and other projects on government services*

Alternative A- No impact expected

Alternative B- No Impact

**19. LOCALLY ADOPTED ENVIRONMENTAL PLANS AND GOALS:**
*List State, County, City, USFS, BLM, Tribal, and other zoning or management plans, and identify how they would affect this project.*

Alternative A- The project is located within the City and County Zoning Districts and are addressed within the Joint Application Permit. The DNRC accepts and tiers to the impacts listed in the application.

Alternative B- No Impact

**20. ACCESS TO AND QUALITY OF RECREATIONAL AND WILDERNESS ACTIVITIES:**
*Identify any wilderness or recreational areas nearby or access routes through this tract. Determine the effects of the project on recreational potential within the tract. Identify cumulative effects to recreational and wilderness activities.*

Alternative A- No impacts expected
Alternative B- No Impact

**21. DENSITY AND DISTRIBUTION OF POPULATION AND HOUSING:**
*Estimate population changes and additional housing the project would require. Identify cumulative effects to population and housing.*

Alternative A- No significant impact expected.
Alternative B- No Impact

**22. SOCIAL STRUCTURES AND MORES:**
*Identify potential disruption of native or traditional lifestyles or communities.*

Alternative A- No impacts expected
Alternative B- No Impact

**23. CULTURAL UNIQUENESS AND DIVERSITY:**
*How would the action affect any unique quality of the area?*

Alternative A- No Significant Impact

Alternative B- No Impact

**24. OTHER APPROPRIATE SOCIAL AND ECONOMIC CIRCUMSTANCES:**
*Estimate the return to the trust. Include appropriate economic analysis. Identify potential future uses for the analysis area other than existing management. Identify cumulative economic and social effects likely to occur as a result of the proposed action.*

Alternative A- This project has the potential to produce revenue for the school trust through the purchase of a navigable river land use license to permit the removal of the pipelines. The price of this license is set at $150.00

Alternative B- No impact expected

| EA Checklist Prepared By: | Name: Scott Aye | Date: 9-18-2025 |
|---|---|---|
| | Title: Land Program Manager | |

## V. FINDING

**25. ALTERNATIVE SELECTED:**

Alternative A

**26. SIGNIFICANCE OF POTENTIAL IMPACTS:**

The granting of the requested navigable river land use license across state owned trust lands for the proposed Tongue River Slough Restoration project should not result in nor cause significant environmental impacts. The predicted environmental impacts have been identified and mitigation measures addressed in the environmental assessment checklist. The predicted impacts will be adequately mitigated through the construction and reclamation plans. The proposed action satisfies the trusts fiduciary mandate and ensures the long-term productivity of the land. An environmental assessment checklist is the appropriate level of analysis for the proposed action

**27. NEED FOR FURTHER ENVIRONMENTAL ANALYSIS:**

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|---|---|---|---|---|---|
| [ ] | EIS | [ ] | More Detailed EA | [X] | No Further Analysis |

| EA Checklist Approved By: | Name: | Chris Pileski |
|---|---|---|
| | Title: | Eastern Land Office; Area Manager |
| Signature: /s/ Chris Pileski | | Date: 02-19-2025 |