

Montana Department of Commerce  
Montana Coal Endowment Program  
**Environmental Assessment**

Lockwood Water and Sewer District  
2022 Water Master Plan Amendment

Yellowstone County, Montana

Proposed Action:

The proposed action consists of constructing a new Mid Zone Reservoir and a transmission main extension to the reservoir in the Sanctuary Canyon area and water main replacements in the Lockwood, Emerald Hills Westgate, and Johnston Subdivisions in Yellowstone County. A new Mid Zone Reservoir would supply storage in the Mid Zone pressure area that currently lacks storage. Continuing without storage as the pressure zone expands with increased development is not recommended. Storage deficiencies directly affect public safety by reducing the capacity for firefighting and emergencies. The water main replacements in existing subdivisions would address public health and safety concerns by providing adequate fire flows, replacing old AC pipe which can be prone to breakage, and eliminating undersized mains less than six inches in diameter. The selected water main replacement areas are considered a top priority as they coincide with sewer main installation planned to occur with the proposed Phase 3 Sewer Subdistrict Project scheduled for construction in 2024.

## UNIFORM ENVIRONMENTAL CHECKLIST

<b>NAME OF PROJECT:</b>	Lockwood Water and Sewer District New Mid Zone Reservoir and Lockwood Water and Sewer District Lockwood, Emerald Hills Westgate, and Johnston Subdivisions Water Main Replacements
<b>PROPOSED ACTION:</b>	New Mid Zone Reservoir and Water Main Replacements in Lockwood, Emerald Hills Westgate, and Johnston Subdivisions
<b>LOCATION:</b>	Yellowstone County (Lockwood), Montana

<b>Key Letter:</b>		
<b>PHYSICAL ENVIRONMENT</b>		
Key	1	<p>Soil Suitability, Topographic and/or Geologic Constraints (e.g., soil slump, steep slopes, subsidence, seismic activity)</p> <p><i>Response and source of information:</i></p> <p>Proposed improvements, with the exception of the Mid Zone Reservoir, are located on sites previously disturbed during past construction of water facilities, streets, and other utilities. The Mid Zone Reservoir would be located on a subdivision lot already proposed for development in the second phase of the Sanctuary Canyon Subdivision. A geotechnical investigation has been completed for the reservoir site. The reservoir site consists of a veneer of sandy soils underlain by a sequence of sedimentary bedrock of the Judith River Formation with the bedrock consisting of sandstone with some shale and siltstone layers. If topographic constraints at the site make it difficult to maintain a 30-foot setback between foundations and slope, deep foundations such as concrete piers or micropiles may be required. In general, the site is buildable with the appropriate engineering design.</p> <p>Source: Geotechnical Investigation Report Mid-Zone Water Tank, Trailmaster Drive Near Sanctuary Canyon Subdivision, Billings, Montana by Geoscience, PLLP, November 9, 2020</p>
N	2	<p>Hazardous Facilities (e.g., power lines, hazardous waste sites, acceptable distance from explosive and flammable hazards including chemical/petrochemical storage tanks, underground fuel storage tanks, and related facilities such as natural gas storage facilities &amp; propane storage tanks)</p> <p><i>Response and source of information:</i></p> <p>There are no known hazardous waste sites or flammable hazards in the vicinity of the water system improvements. However, there are above and below ground utilities in the vicinity of the improvements, especially in the water main replacement areas.</p> <p>Source: MDEQ online data mapper (<a href="http://svc.mt.gov/deq/wmaDST/default.aspx">http://svc.mt.gov/deq/wmaDST/default.aspx</a>)</p>
Key	3	<p>Effects of Project on Surrounding Air Quality or Any Kind of Effects of Existing Air Quality on Project (e.g., dust, odors, emissions)</p> <p><i>Response and source of information:</i></p>
N		

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	<p>The proposed project area is not located in an Air Quality Nonattainment zone as determined by the Montana Department of Environmental Quality. The proposed project activities are unlikely to impact air quality within the project area outside of temporary dust generated in the immediate areas of construction.</p> <p>The direct effects to air quality from the proposed project to Lockwood or Yellowstone County would be minimal as there would be no significant atmospheric emissions from the new facility. Air quality effects anticipated with this project may be temporary dust generated in the immediate area of construction. The contractor would be responsible for dust control throughout the duration of construction to mitigate temporary impacts.</p> <p>Source: MDEQ (<a href="https://deq.mt.gov/air/Programs/planandrule">https://deq.mt.gov/air/Programs/planandrule</a>)</p>
Key	<p>4 Groundwater Resources &amp; Aquifers (e.g., quantity, quality, distribution, depth to groundwater, sole source aquifers)</p> <p><i>Response and source of information:</i></p> <p>P Groundwater is not anticipated at the Mid-Zone Reservoir site. Groundwater may be encountered in the water main replacement areas. The contractor may have to apply for a Groundwater Dewatering permit for construction and will be responsible for best management practices to protect groundwater resources.</p>
Key	<p>5 Surface Water/Water Quality, Quantity &amp; Distribution (e.g., streams, lakes, storm runoff, irrigation systems, canals)</p> <p><i>Response and source of information:</i></p> <p>P No streams, rivers, or lakes would be encountered in the project improvement areas. The Lockwood Irrigation District's 60' Lift Canal bisects the Lockwood Subdivision. Thus, a canal encroachment permit would be required from the Lockwood Irrigation District for water main replacements in the Lockwood Subdivision.</p> <p>During construction, best management practices will be installed by the contractor to control erosion and sedimentation due to project related earth disturbance. The contractor would also have to submit a Stormwater Pollution Prevention Plan and Notice of Intent to MDEQ for coverage under the General Permit for Storm Water Discharges Associated with Construction Activity.</p> <p>Source: USGS Topographic Map Billings East</p>
Key	<p>6 Floodplains &amp; Floodplain Management (Identify any floodplains within one mile of the boundary of the project.)</p> <p><i>Response and source of information:</i></p> <p>N</p>

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		<p>Unnamed Creek, Dry Creek, the Yellowstone River, and their associated floodplains are located more than 1 mile from the project areas. Thus, water system improvements will have no impact on these floodplains. Federal Emergency Management Agency (FEMA) Flood Insurance Rate Maps (FIRM) are available for the Lockwood area. Based on correspondence with Yellowstone County, no floodplain permitting would be required for the project areas. No environmental consequences to the floodplain or floodwaters are anticipated as a result of the proposed improvements and no mitigation measures are required.</p> <p>Source: Yellowstone County, FEMA Flood Insurance Rate Maps for Yellowstone County, MT Panels 1285 and 1295</p>
Key	7	<p>Wetlands Protection (Identify any wetlands within one mile of the boundary of the project.)</p> <p><i>Response and source of information:</i></p> <p>The Montana Natural Heritage Program Map Viewer was queried for wetlands within one mile of the project boundaries. Several wetland areas are identified within one mile of the project areas but none within the project areas. The identified wetlands are associated with the 60' Lift Canal and the 100' Lift Canal. No wetlands are anticipated to be impacted by the water system improvements.</p> <p>Source: Montana Natural Heritage Program Map Viewer (<a href="http://mtnhp.org/mapviewer/">http://mtnhp.org/mapviewer/</a>)</p>
N	8	<p>Agricultural Lands, Production, &amp; Farmland Protection (e.g., grazing, forestry, cropland, prime or unique agricultural lands) (Identify any prime or important farm ground or forest lands within one mile of the boundary of the project.)</p> <p><i>Response and source of information:</i></p> <p>The Lockwood and Johnston Subdivision areas are located on farmland of statewide importance; however, these areas are already developed with residential housing, streets, and alleys. The Mid Zone Reservoir site and the Emerald Hills Westgate Subdivision are not located on prime farmland. The proposed water main replacements will not impact farm grounds or forest land since the proposed construction will be restricted to streets within subdivisions. The Mid Zone Reservoir improvements will also not impact farm grounds or forest land.</p> <p>Source: NRCS Web Soil Survey (<a href="https://websoilsurvey.sc.egov.usda.gov/App/WebSoilSurvey.aspx">https://websoilsurvey.sc.egov.usda.gov/App/WebSoilSurvey.aspx</a>)</p>
Key	9	<p>Vegetation &amp; Wildlife Species &amp; Habitats, including Fish and Sage Grouse (e.g., terrestrial, avian and aquatic life and habitats)</p> <p><i>Response and source of information:</i></p>
N		

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		<p>The water main replacements would occur in existing local subdivision streets. The Mid Zone Reservoir site and water main extension would be located within the 1<sup>st</sup> and 2<sup>nd</sup> filings of the Sanctuary Canyon Subdivision area. Infrastructure in the first filing is complete and installed. The second filing is under design and anticipated to be constructed in 2022 or 2023. The USFWS species list notes that the Red knot bird is a threatened species, and the Monarch Butterfly is a candidate species. There are no endangered species or endangered species critical habitat noted in or adjacent to the project areas. USFWS correspondence provides a probability of presence summary for Bald Eagles, Golden Eagles, and Lark Buntings which are migratory and are listed on the USFWS Birds of Conservation Concern list. The eagle species are not a Bird of Conservation Concern in the project areas. The presence of all three migratory bird species is not anticipated in the subdivisions where water main replacements would occur. Neither Bald Eagles nor Golden Eagles are anticipated to use the Mid Zone Reservoir site for breeding habitat due to a lack of trees and surface water. However, the Lark Bunting, which breeds in open grasslands usually with at least some element of sagebrush, could possibly be found in the reservoir area. The probability of presence for this bird during breeding season in the project area is greatest at the end of June. Construction of the reservoir should start before June 15 or after July 1. The reservoir and water main extension disturbed areas would be restored to native grass vegetation following construction. According to the Montana Sage Grouse Habitat Conservation Program website, the project areas are not within or near a Sage Grouse Executive Order Core Area. No surface water bodies are nearby to the project areas; thus fish would not be impacted. Due to the urban and developed area where the improvements will take place, significant impacts to vegetation and wildlife species and habitats (including fish and sage grouse) are not anticipated.</p> <p>Source: USFWS, MT Sage Grouse Habitat Conservation Program (<a href="https://sagegrouse.mt.gov/">https://sagegrouse.mt.gov/</a>)</p>
Key	10	<p>Unique, Endangered, Fragile, or Limited Environmental Resources, Including Endangered Species (e.g., plants, fish, sage grouse or wildlife)</p> <p><i>Response and source of information:</i></p> <p>According to the Montana Sage Grouse Habitat Conservation Map, the Lockwood community is not located within a Sage Grouse Executive Order (EO) area. The USFWS species list notes that the Red Knot bird is a threatened species, and the Monarch Butterfly is a candidate species. There are no endangered species or endangered species critical habitat noted in or adjacent to the project areas. Due to the urban and developed area where the improvements would take place, no unique, endangered, fragile or limited environmental resources or endangered species have been identified within the project area.</p> <p>Source: USFWS, Montana Natural Heritage Program (<a href="http://mtnhp.org/">http://mtnhp.org/</a>), Montana Sage Grouse Habitat Conservation Program (<a href="https://sagegrouse.mt.gov/">https://sagegrouse.mt.gov/</a>)</p>
Key	11	<p>Unique Natural Features (e.g., geologic features)</p> <p><i>Response and source of information:</i></p>
N		

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		<p>No unique natural features have been identified within or near the proposed project areas. No impacts to unique natural features are anticipated to occur with the implementation of the proposed improvements.</p> <p>Source: Google Earth</p>
Key	I2	<p><b>Access to, and Quality of, Recreational &amp; Wilderness Activities, Public Lands and Waterways, and Public Open Space</b></p> <p><i>Response and source of information:</i></p> <p>Restriction of access to and reduction of quality of recreational and wilderness activities, public lands and waterways, and public open space is not anticipated to occur with the implementation of the proposed improvements.</p> <p>According to the National Wild and Scenic River Systems website, three federally designated Wild and Scenic rivers are located in the State of Montana. These include portions of the Flathead River, portions of the Missouri River, and portions of the East Rosebud Creek.</p> <p>There are no rivers designated Wild and Scenic located within Yellowstone County. There would be no impact to federally designated Wild and Scenic rivers as a result of the implementation of the proposed collection system improvements.</p> <p>Source: National Wild and Scenic Rivers System (<a href="https://www.rivers.gov/montana.php">https://www.rivers.gov/montana.php</a>)</p>
<b>HUMAN ENVIRONMENT</b>		
Key	I	<p><b>Visual Quality – Coherence, Diversity, Compatibility of Use and Scale, Aesthetics</b></p> <p><i>Response and source of information:</i></p> <p>Water main replacement improvements will be constructed below ground and will not impact visual quality once construction is complete. The Mid Zone Reservoir may be partially buried or entirely aboveground. It would be painted to blend in with the surrounding area.</p>
Key	2	<p><b>Nuisances (e.g., glare, fumes)</b></p> <p><i>Response and source of information:</i></p> <p>The proposed improvements are not anticipated to produce glare, fumes, or any other nuisances.</p>
Key	3	<p><b>Noise -- suitable separation between noise sensitive activities (such as residential areas) and major noise sources (aircraft, highways &amp; railroads)</b></p> <p><i>Response and source of information:</i></p> <p>Short-term and temporary noise will be created by construction activities. These short-term noise impacts will be mitigated by requiring the contractor to work during day-time hours only. No noises are anticipated following construction of the proposed improvements.</p>

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Key	4	Historic Properties, Cultural, and Archaeological Resources
N		<p><i>Response and source of information:</i></p> <p>The Montana State Historic Preservation Office (SHPO) was contacted for comment on the proposed project. A response from Damon Murdo, Cultural Records Manager, is noted as follows, in part: <i>"As long as the proposed projects will be kept within previously disturbed right-of-way and there will be no disturbance or alteration to structures over fifty years of age, we feel that there is a low likelihood cultural properties will be impacted. We, therefore, feel that a recommendation for a cultural resource inventory is unwarranted at this time."</i></p> <p>Water main replacement areas would occur in local subdivision streets. The reservoir site has also been disturbed with the developer already building roads in the second phase of the Sanctuary Canyon Subdivision. No significant impacts to historic properties, cultural, and archaeological resources are anticipated to occur with the implementation of the proposed water system improvements.</p> <p>Source: SHPO</p>
Key	5	Changes in Demographic (population) Characteristics (e.g., quantity, distribution, density)
N		<p><i>Response and source of information:</i></p> <p>It is not anticipated that population or the distribution of population will increase as a result of the proposed improvements. Development of the Sanctuary Canyon Subdivision which would surround the Mid Zone Reservoir site is already in progress by private developers along with development of additional phases of other existing subdivisions in the general vicinity of the reservoir. The water main replacements would occur in older built-out subdivisions. No impacts to demographic characteristics are anticipated.</p>
Key	6	General Housing Conditions - Quality, Quantity, Affordability
N		<p><i>Response and source of information:</i></p> <p>No impacts are anticipated to general housing conditions in the project areas.</p>
Key	7	Displacement or Relocation of Businesses or Residents
N		<p><i>Response and source of information:</i></p> <p>The proposed improvements would not cause a displacement or relocation of any businesses or residents but would instead benefit current and future Lockwood residents in or adjacent to the project areas.</p>
Key	8	Public Health and Safety
B		<p><i>Response and source of information:</i></p> <p>Public health and safety would be improved with the proposed water system improvements by increasing available fire flows, pressures, and supply.</p>
Key	9	Lead Based Paint and/or Asbestos
N		<p><i>Response and source of information:</i></p>

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		There are no known lead-based paint or asbestos products associated with any of the proposed improvement products and no lead-based paint and/or asbestos are anticipated to be found as part of the project improvements.
Key	10	Local Employment & Income Patterns - Quantity and Distribution of Employment, Economic Impact  <i>Response and source of information:</i>  The proposed project will likely have a positive impact on the community during construction when construction workers utilize the commercial businesses located in Lockwood. Employment of local workers is also highly likely during the course of the project. It is anticipated that the project will have a temporary, but beneficial, impact on employment and the economy of Lockwood during construction.
B		
Key	11	Local & State Tax Base & Revenues  <i>Response and source of information:</i>  The proposed water system improvements are not anticipated to have an impact on local or state tax base and revenues.
N		
Key	12	Educational Facilities - Schools, Colleges, Universities  <i>Response and source of information:</i>  No impacts to schools in the Lockwood community are anticipated as a result of the proposed improvements.
N		
Key	13	Commercial and Industrial Facilities - Production & Activity, Growth or Decline.  <i>Response and source of information:</i>  The proposed project improvements are not expected to result in growth or decline of commercial or industrial facilities based on the residential zoning of the project areas. Additionally, no change in production or activity in commercial or industrial facilities is anticipated to occur as a result of the proposed improvements.
N		
Key	14	Health Care – Medical Services  <i>Response and source of information:</i>  No impacts to health care or medical services are anticipated to occur as a result of the implementation of the proposed collection system improvements.
N		
Key	15	Social Services – Governmental Services (e.g., demand on)  <i>Response and source of information:</i>  No impacts (increase or decrease of demand) on social and governmental services are anticipated to occur as a result of the implementation of the proposed improvements.
N		
Key	16	Social Structures & Mores (Standards of Social Conduct/Social Conventions)  <i>Response and source of information:</i>
N		

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		No impacts to social structures or mores are anticipated to occur as a result of the implementation of the proposed improvements.
Key	17	<p><b>Land Use Compatibility</b> (e.g., growth, land use change, development activity, adjacent land uses and potential conflicts)</p> <p><i>Response and source of information:</i></p> <p>No impacts to land use compatibility are anticipated.</p>
N	18	<p><b>Energy Resources - Consumption and Conservation</b></p> <p><i>Response and source of information:</i></p> <p>The proposed project activities will not pose an undue burden on energy resources within the community.</p>
Key	19	<p><b>Solid Waste Management</b></p> <p><i>Response and source of information:</i></p> <p>No impacts to solid waste management are anticipated to occur as a result of the implementation of the proposed improvements.</p>
N	20	<p><b>Wastewater Treatment - Sewage System</b></p> <p><i>Response and source of information:</i></p> <p>It is anticipated that water main replacement improvements would be bid with and constructed at the same time as the proposed Phase 3 Sewer Subdistrict Project. The water main replacement areas coincide with new sewer main installations to extend sewer service to the unserved Phase 3 area properties which are currently served by on-site subsurface wastewater systems (i.e. septic tanks and drainfields). Combining the water and sewer main work into one project is anticipated to result in cost savings for both utilities thus providing a financial benefit to the new sewer system.</p>
Key	21	<p><b>Storm Water – Surface Drainage</b></p> <p><i>Response and source of information:</i></p> <p>If ground disturbance for the proposed project is equal to or greater than 1 acre, the contractor will obtain and comply with MDEQ's Stormwater Discharge Permit. This permit requires best management practices (BMPs) be implemented to minimize sediment-laden runoff from reaching a water of the state, inspections of the BMPs, and rehabilitation of the area post construction. No significant impacts to storm water or surface drainage are anticipated as a result of the implementation of the proposed improvements.</p>
N, P		
Key	22	<p><b>Community Water Supply</b></p> <p><i>Response and source of information:</i></p>
B		

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		The proposed improvements would be beneficial to the Lockwood community water supply. Replacing undersized water mains would increase the life span and reliability of these water mains that provide potable water and fire flow to existing subdivisions. The Mid Zone Reservoir would also increase reliability of the water supply and water pressures to the Mid Zone area and decrease the continual running of pumps at the Noblewood Booster Station thereby allowing the pumps to operate more efficiently when they do run.
Key	23	<p><b>Public Safety – Police</b></p> <p><i>Response and source of information:</i></p> <p>Short-term delays in response resulting from detours may be encountered during construction. The Yellowstone County Sheriff's Department will be kept up to date on all traffic control plans for construction. Every effort to avoid delays will be made to alleviate delays in response time. No long-term impacts to public safety or police service are anticipated as a result of the proposed improvements.</p>
N		
Key	24	<p><b>Fire Protection – Hazards</b></p> <p><i>Response and source of information:</i></p> <p>Short-term delays in response resulting from detours may be encountered during construction. The Lockwood Fire Department will be kept up to date on traffic control plans for construction. Every effort to avoid delays will be made to alleviate delays in response time.</p> <p>Storage and water main replacements will increase the supply of water in the Mid Zone area and improve fire flows thus benefitting firefighting capabilities and protection in the Lockwood community.</p>
B		
Key	25	<p><b>Emergency Medical Services</b></p> <p><i>Response and source of information:</i></p> <p>Short-term delays in response resulting from detours may be encountered during construction. The Lockwood Fire Department will be kept up to date on all traffic control plans for construction. Every effort to avoid delays will be made to alleviate delays in response time. No long-term impacts on emergency medical services are anticipated as a result of the proposed improvements.</p>
N		
Key	26	<p><b>Parks, Playgrounds, &amp; Open Space</b></p> <p><i>Response and source of information:</i></p> <p>No impacts to parks, playgrounds, and open space are anticipated to occur as a result of the implementation of the proposed improvements.</p>
N		
Key	27	<p><b>Cultural Facilities, Cultural Uniqueness &amp; Diversity</b></p> <p><i>Response and source of information:</i></p>
N		

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		No impacts to cultural facilities, cultural uniqueness and diversity are anticipated to occur as a result of the implementation of the proposed improvements.
Key	28	<p>Transportation Networks and Traffic Flow Conflicts (e.g., rail; auto including local traffic; airport runway clear zones - avoidance of incompatible land use in airport runway clear zones)</p> <p><i>Response and source of information:</i></p> <p>Short-term delays in traffic could occur during project construction; however, traffic control will be prepared, implemented, and adjusted as needed to reduce transportation delays as much as possible. After construction is completed, no impacts to transportation networks and traffic flow conflicts are anticipated to occur. The proposed project areas are not located within an airport runway clear zone, nor are there any issues with incompatible land use. It is anticipated that a right-of-way permit will be needed from Yellowstone County for work within County roads.</p> <p>B, P</p> <p>Transportation networks within the water main replacement areas would benefit from the proposed improvements. Water main replacement work is anticipated to be bid with the proposed Phase 3 Sewer Subdistrict project. During this project, the local subdivision streets impacted by the water main replacement work, as well as sewer main installation work, would also receive a 2-inch overlay following the water and sewer main improvements. A portion of this cost would likely be paid by Yellowstone County as has occurred with previous sewer projects. The Lockwood Water and Sewer District has been in communication with the Yellowstone County commissioners to discuss the possible participation of the County in this cost and the County expressed support for the asphalt overlay improvements. This work would greatly improve the local streets in these subdivisions.</p> <p>Source: Yellowstone County</p>
Key	29	<p>Consistency with Local Ordinances, Resolutions, or Plans (e.g., conformance with local comprehensive plans, zoning, or capital improvement plans)</p> <p><i>Response and source of information:</i></p> <p>Recommended water system improvements are consistent with the goals of the Lockwood community, local resolutions, and capital improvement plans.</p>
Key	30	<p>Is There a Regulatory Action on Private Property Rights as a Result of this Project? (consider options that reduce, minimize, or eliminate the regulation of private property rights.)</p> <p><i>Response and source of information:</i></p> <p>There are no known regulatory actions anticipated on private property rights as a result of proposed project activities.</p>

## **Environmental Review Form**

**On a separate piece of paper, please answer the following as they apply to your proposed project:**

**I. Alternatives:** Describe reasonable alternatives to the project.

The following reasonable alternatives for these water system improvements were considered for the Mid Zone Reservoir and the water main replacements.

Mid Zone Reservoir:

- The 2016 Water Master Plan (Appendix A) proposed one reservoir constructed as Alternative S2 – New 0.45 MG Mid Zone Reservoir.
- The 2018 Water Master Plan Amendment (Appendix B) indicated that building a single large Mid Zone Reservoir with enough capacity for the future would introduce problems of water age, especially in low demand winter months. A sizing and siting study was recommended to identify a favorable location for the reservoir and to evaluate a single reservoir or the construction of a smaller reservoir in the near term and a second reservoir as development requires more storage.
- The LWSD Mid Zone Reservoir Pre-Design Hydraulic Analysis completed in 2020 (Appendix C) recommended two smaller Mid Zone Reservoirs with the first being a 330,000-gallon tank. The second Mid Zone Reservoir and transmission main should be further evaluated when average demands exceed 107 gpm.
- The 2022 Water Master Plan Amendment evaluates two types of material – concrete and steel – for the Mid Zone Reservoir.
- Alternative S4 – No Action was considered in the 2016 Water Master Plan. The Mid Zone is currently operating without any storage and continuing in the future without storage as the pressure zone expands was not recommended. Storage deficiencies directly affect public safety reducing the capacity for firefighting and emergencies.

Water Main Replacements:

- Water main improvement alternatives presented in the 2016 Water Master Plan included three categories: fire flow upgrades, existing distribution system upgrades, and future pipe extensions. These projects are ranked in an updated CIP included in the 2022 Water Master Plan Amendment. The water main replacements in the Lockwood Subdivision rank the highest. However, the water main replacements included herein were prioritized based on their locations that coincide with the Phase 3 Sewer Subdistrict project which is anticipated for construction in early 2024.

- The 2016 Water Master Plan considered Alternative W3 – No Action. However, due to public health and safety concerns this alternative was discarded in favor alternatives that would provide adequate fire flows and to replace old AC pipe and eliminate undersized mains less than six inches in diameter.
2. **Mitigation:** Identify any enforceable measures necessary to reduce any impacts to an insignificant level.

The water main replacements would all take place within Lockwood community streets which are all located within existing developed subdivisions within public right-of-way. The Mid Zone Reservoir would be constructed on property owned by the Lockwood Water and Sewer District. A portion of the water main extension would be installed in an existing easement through the Sanctuary Canyon Subdivision for tie-in to an existing water main in Sanctuary Canyon Road.

There are no enforceable measures necessary to reduce impacts to an insignificant level as the impacts are anticipated to be insignificant.

3. **Is an EA or Environmental Impact Statement (EIS) required?** Describe whether or not an EA or EIS is required and explain in detail why or why not.

The proposed action consists of installing a new Mid Zone Reservoir and associated water extension and water main replacements. This checklist and Environmental Review evaluate both physical and human environmental resources present in the project vicinity and anticipated impacts to those resources. No potentially adverse impacts to the environmental resources in the immediate and adjacent project areas have been identified. Short-term mitigation measures have been identified. An Environmental Assessment is appropriate for the proposed action and does not rise to the level of requiring an Environmental Impact Statement.

4. **Public Involvement:** Describe the process followed to involve the public in the proposed project and its potential environmental impacts. Identify the public meetings -- where and when -- the project was considered and discussed, and when the applicant approved the final environmental assessment.

A public hearing was held on Wednesday, May 11, 2022 at the Lockwood Water and Sewer District Office to gather input and comments from the LWSD Board and residents regarding the LWSD 2022 Water Master Plan Amendment. At this meeting, the water system improvements, implementation steps, user costs, and environmental considerations were presented. This public hearing was noticed in the Yellowstone County News on April 29, 2022 and May 6, 2022. Notices were also posted at the Lockwood Water and Sewer District Office, Lockwood IGA, S-Bar-S Building Center, Lockwood Ace Hardware, First Interstate Bank, and Western Security Bank. Documentation of this meeting is included in Appendix D.

5. **Person(s) Responsible for Preparing:** Identify the person(s) responsible for

preparation of this checklist.

Stephanie Seymanski, PE, Project Engineer, Morrison-Maierle, Inc.

The Lockwood Water and Sewer District contracted with Morrison-Maierle on April 13, 2022 under Task Order No. 18 to the Master Agreement dated October 8, 2014 to prepare a 2022 Water Master Plan Amendment. Included in the scope of services is completion of an Environmental Evaluation consisting of preparation of the Uniform Environmental Checklist and Environmental Review Form and documentation of public involvement.

6. **Other Agencies:** List any state, local, or federal agencies that have over-lapping or additional jurisdiction or environmental review responsibility for the proposed action and the permits, licenses, and other authorizations required; and list any agencies or groups that were contacted or contributed information to this Environmental Assessment (EA).

The following federal, state, and local agencies have been notified of the proposed project:

U.S. Army Corps of Engineers (USACE)  
Montana Department of Environmental Quality (MDEQ)  
Montana Department of Fish, Wildlife and Parks (DFWP)  
Montana State Historic Preservation Office (SHPO)  
Yellowstone County

Website consultations:

Montana Department of Environmental Quality On-line Data Mapper  
Montana Natural Heritage Program (MNHP)  
Montana Sage Grouse Habitat Conservation Program  
Natural Resources Conservation Service (NRCS, Web Soil Survey)  
USFWS IPaC

It is anticipated that two environmental permits will be needed for construction of proposed water improvements. These permits include:

1. Stormwater Discharge Permit administered by the Montana Department of Environmental Quality (MDEQ).
2. Groundwater Dewatering Discharge Permit administered by MDEQ.

The following non-environmental permit(s) or authorization(s) will also be required:

1. MDEQ review and authorization of construction plans and specifications.
2. Right-of-way permit from Yellowstone County
3. Encroachment Permit from Lockwood Irrigation District

---

Stephanie Seymanski, PE  
Project Engineer, Morrison-Maierle, Inc.  
(1) Authorized Representative \*, Title

Date

Lockwood Water and Sewer District

---

Carl Peters  
(2) Board President

Date:

---

\* If an authorized representative (1) completes the checklist and this form, a chief elected official (2) must also sign authorizing acceptance of the review process. Explanation or statement of how/why that representative was authorized should also be included.

Statement of Authorization:

The Lockwood Water and Sewer District contracted with Morrison-Maierle, Inc. on April 13, 2022 to complete a 2022 Water Master Plan Amendment. As part of the work to complete the Amendment, Morrison-Maierle is authorized to prepare the Environmental Checklist and MCEP Environmental Review process. Stephanie Seymanski, PE is a Project Engineer with Morrison-Maierle, Inc. and has completed this work including consulting with various environmental review agencies for input.

## **Agency Contact Letters**

April 21, 2022

Leata English  
Department of Environmental Quality  
PO Box 200901  
Helena, MT 59620-0901

RE: LWSD 2022 Water Master Plan Amendment

Dear Leata:

The Lockwood Water and Sewer District has contracted with Morrison-Maierle, Inc. to prepare a 2022 Water Master Plan Amendment to the previously completed Lockwood Water and Sewer District 2016 Water Master Plan and 2018 Water Master Plan Amendment. The purpose of this report is to provide the Lockwood Water and Sewer District with the necessary information for making decisions regarding water facility improvements and to account for changes since the 2018 Water Master Plan Amendment. As part of the Uniform Environmental Checklist, we are requesting comments from your Agency regarding the following proposed wastewater facility improvements:

- New Mid Zone Reservoir (Alternative S2)
- Lockwood Subdivision Water System Improvements (Alternatives FF5 – FF11)
- Emerald Hills Westgate Subdivision Water System Improvements (Alternatives FF14, FF23, ED1 – ED4, and ED18)
- Johnston Subdivision Water System Improvements (Alternative ED33)

The above proposed projects include water distribution system improvements to construct a new Mid Zone Reservoir and replace existing water mains that are undersized in order to provide greater efficiency and reliability or which have fire flow deficiencies. The existing water mains are located in public right-of-way and the water reservoir would be constructed on property owned by the Lockwood Water and Sewer District. An easement may be required to connect to an existing water main in Sanctuary Canyon Road. Collection system improvement locations are shown on Figure 9-6B. An overall map of the Lockwood Water and Sewer District is provided with Figure 4-1B.

Your input on potential environmental considerations for this project will be included in grant applications being prepared for the Renewable Resources Grant and Loan (RRGL) program and the Montana Coal Endowment Program (MCEP, formerly TSEP), as well as applications to the Drinking Water State Revolving Fund (SRF) loan program. Please contact me at [sseymanski@m-m.net](mailto:sseymanski@m-m.net) or (406) 237-1243 if you have any questions or need more information.

Thank you for your time and consideration.

Sincerely,



engineers • surveyors • planners • scientists

MORRISON-MAIERLE, INC.

*Stephanie Seymanski*

---

Stephanie Seymanski, PE

Encl: Figure 4-1B  
Figure 9-6B

April 21, 2022

Trevor Selch  
Department of Fish, Wildlife and Parks  
1420 E. 6<sup>th</sup> Avenue  
P.O. Box 200701  
Helena, MT 59601-0701

RE: LWSD 2022 Water Master Plan Amendment

Dear Trevor:

The Lockwood Water and Sewer District has contracted with Morrison-Maierle, Inc. to prepare a 2022 Water Master Plan Amendment to the previously completed Lockwood Water and Sewer District 2016 Water Master Plan and 2018 Water Master Plan Amendment. The purpose of this report is to provide the Lockwood Water and Sewer District with the necessary information for making decisions regarding water facility improvements and to account for changes since the 2018 Water Master Plan Amendment. As part of the Uniform Environmental Checklist, we are requesting comments from your Agency regarding the following proposed wastewater facility improvements:

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Your input on potential environmental considerations for this project will be included in grant applications being prepared for the Renewable Resources Grant and Loan (RRGL) program and the Montana Coal Endowment Program (MCEP, formerly TSEP), as well as applications to the Drinking Water State Revolving Fund (SRF) loan program. Please contact me at [sseymanski@m-m.net](mailto:sseymanski@m-m.net) or (406) 237-1243 if you have any questions or need more information.

Thank you for your time and consideration.



Sincerely,

MORRISON-MAIERLE, INC.

A handwritten signature in black ink that reads "Stephanie Seymanski".

---

Stephanie Seymanski, PE

Encl: Figure 4-1B  
Figure 9-6B

April 21, 2022

Damon Murdo  
Montana State Historical Preservation Office  
1301 E. Lockey  
PO Box 201202  
Helena, MT 59620

RE: LWSD 2022 Water Master Plan Amendment

Dear Damon:

The Lockwood Water and Sewer District has contracted with Morrison-Maierle, Inc. to prepare a 2022 Water Master Plan Amendment to the previously completed Lockwood Water and Sewer District 2016 Water Master Plan and 2018 Water Master Plan Amendment. The purpose of this report is to provide the Lockwood Water and Sewer District with the necessary information for making decisions regarding water facility improvements and to account for changes since the 2018 Water Master Plan Amendment. As part of the Uniform Environmental Checklist, we are requesting comments from your Agency regarding the following proposed wastewater facility improvements:

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Your input on potential environmental considerations for this project will be included in grant applications being prepared for Renewable Resources Grant and Loan (RRGL) program and the Montana Coal Endowment Program (MCEP, formerly TSEP), as well as applications to the Drinking Water State Revolving Fund (SRF) loan program. Enclosed is a SHPO File Search Request Form. Please contact me at [sseymanski@m-m.net](mailto:sseymanski@m-m.net) or (406) 237-1243 if you have any questions or need more information.

Thank you for your time and consideration.



engineers • surveyors • planners • scientists

Sincerely,

MORRISON-MAIERLE, INC.

A handwritten signature in black ink that reads "Stephanie Seymanski".

---

Stephanie Seymanski, PE

Encl: SHPO File Search Request Form  
Figure 4-1B  
Figure 9-6B

## File Search Request Form

Contact Name:	Stephanie Seymanski		
Organization:	Morrison-Maierle		
Address:	315 N. 25th St., Ste. 102		
City:	Billings		
State:	MT	Zip Code:	59101
Telephone:	406-237-1243		
Email:	<a href="mailto:sseymanski@m-m.net">sseymanski@m-m.net</a>		



Montana State Historic Preservation Office  
1301 E. Lockey, PO Box 201202  
Helena MT 59620

## SEND TO:

Damon Murdo [\(406\) 444-7767](mailto:dmurdo@mt.gov)

**Project Name:** Lockwood Water and Sewer District (LWSD) 2022 Water Master Plan Amendment

**Project Description:** The 2022 Water Master Plan Amendment updates the 2016 Water Master Plan and 2018 Water Master Plan Amendment. The recommended projects consist of water distribution system improvements to construct a new Mid Zone Reservoir and replace existing water mains that are undersized and/or do not provide adequate fire flow.

Land Use:	Public Right-of-Way	County:	Yellowstone
Agency Involved: (Private, FWP, BLM)	RRGL, MCEP	Land Ownership:	Public R/W and property owned by LWSD

Project Area Location Information			File Search Fee Structure
Township(N/S)	Range (E/W)	Section(s)	
1 N	27 E	19, 20, 28, and 29	\$25 / section
<p><i>Please complete this form and attach a map showing the proposed project location. Feel free to attach additional project information if available.</i></p> <p><i>All fields must be completed in order to process your request.</i></p> <p><i>All sections must be added up and entered in to the box below before a file search will take place.</i></p> <p><i>An invoice will be sent with your file search results.</i></p>			
Total Sections to be searched:		4	
Total amount to be paid to SHPO:		\$100.00	

April 21, 2022

Email: [Montana.Reg@usace.army.mil](mailto:Montana.Reg@usace.army.mil)

U.S. Army Corps of Engineers  
10 W. 15<sup>th</sup> St, Ste. 2200  
Helena, MT 59626

RE: LWSD 2022 Water Master Plan Amendment

Dear Reviewer:

The Lockwood Water and Sewer District has contracted with Morrison-Maierle, Inc. to prepare a 2022 Water Master Plan Amendment to the previously completed Lockwood Water and Sewer District 2016 Water Master Plan and 2018 Water Master Plan Amendment. The purpose of this report is to provide the Lockwood Water and Sewer District with the necessary information for making decisions regarding water facility improvements and to account for changes since the 2018 Water Master Plan Amendment. As part of the Uniform Environmental Checklist, we are requesting comments from your Agency regarding the following proposed wastewater facility improvements:

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Your input on potential environmental considerations for this project will be included in grant applications being prepared for the Renewable Resources Grant and Loan (RRGL) program and the Montana Coal Endowment Program (MCEP, formerly TSEP), as well as applications to the Drinking Water State Revolving Fund (SRF) loan program. Please contact me at [sseymanski@m-m.net](mailto:sseymanski@m-m.net) or (406) 237-1243 if you have any questions or need more information.

Thank you for your time and consideration.

Sincerely,



MORRISON-MAIERLE, INC.

*Stephanie Seymanski*

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Stephanie Seymanski, PE

Encl: Figure 4-1B  
Figure 9-6B

April 21, 2022

Darin Swenson  
Yellowstone County Public Works  
PO Box 35024  
217 N. 27th St., Rm. 312  
Billings, MT 59107-5024

RE: LWS 2022 Water Master Plan Amendment

Dear Darin:

The Lockwood Water and Sewer District has contracted with Morrison-Maierle, Inc. to prepare a 2022 Water Master Plan Amendment to the previously completed Lockwood Water and Sewer District 2016 Water Master Plan and 2018 Water Master Plan Amendment. The purpose of this report is to provide the Lockwood Water and Sewer District with the necessary information for making decisions regarding water facility improvements and to account for changes since the 2018 Water Master Plan Amendment. As part of the Uniform Environmental Checklist, we are requesting comments from your Agency regarding the following proposed wastewater facility improvements:

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Thank you for your time and consideration.

Sincerely,



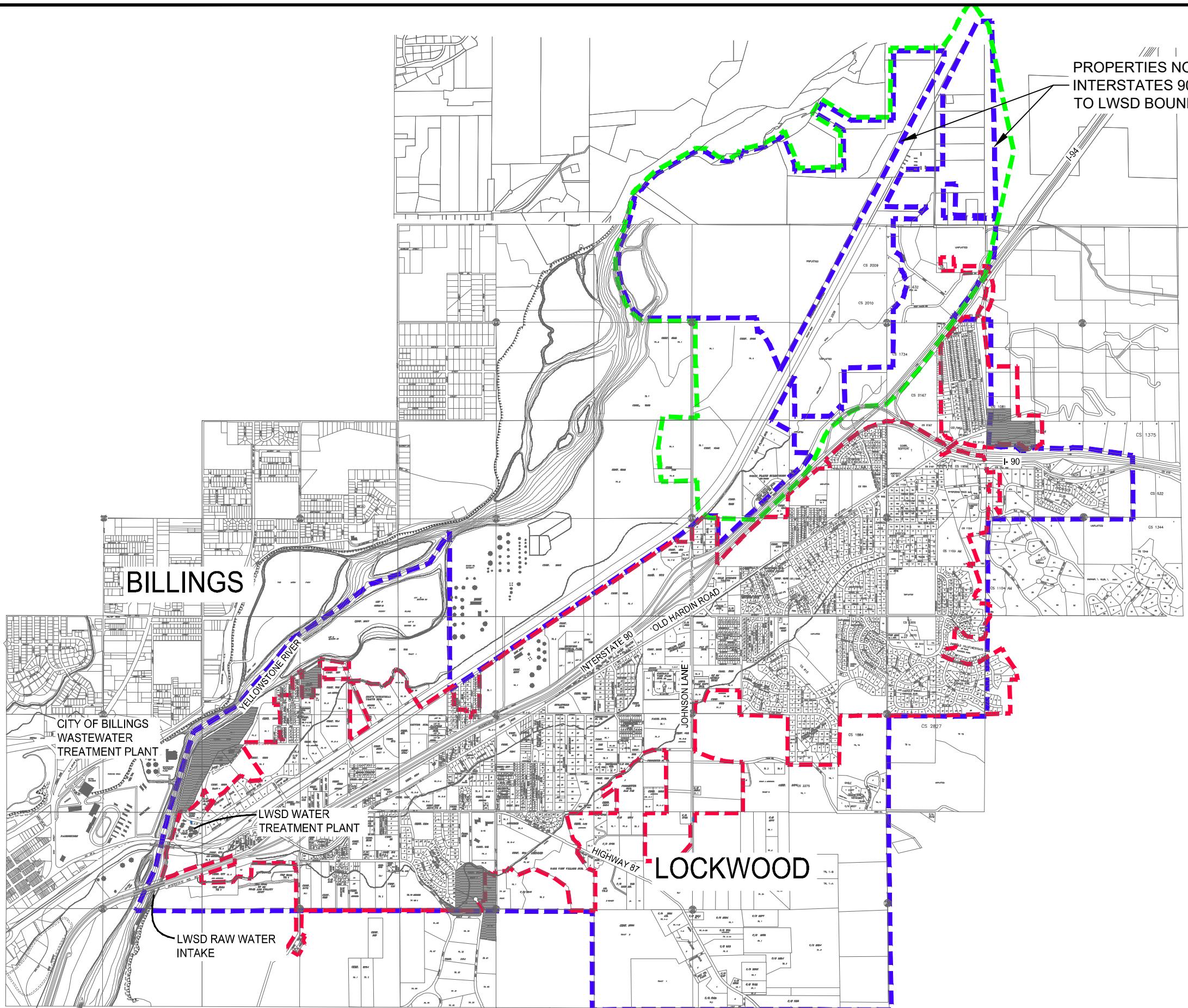
MORRISON-MAIERLE, INC.

*Stephanie Seymanski*

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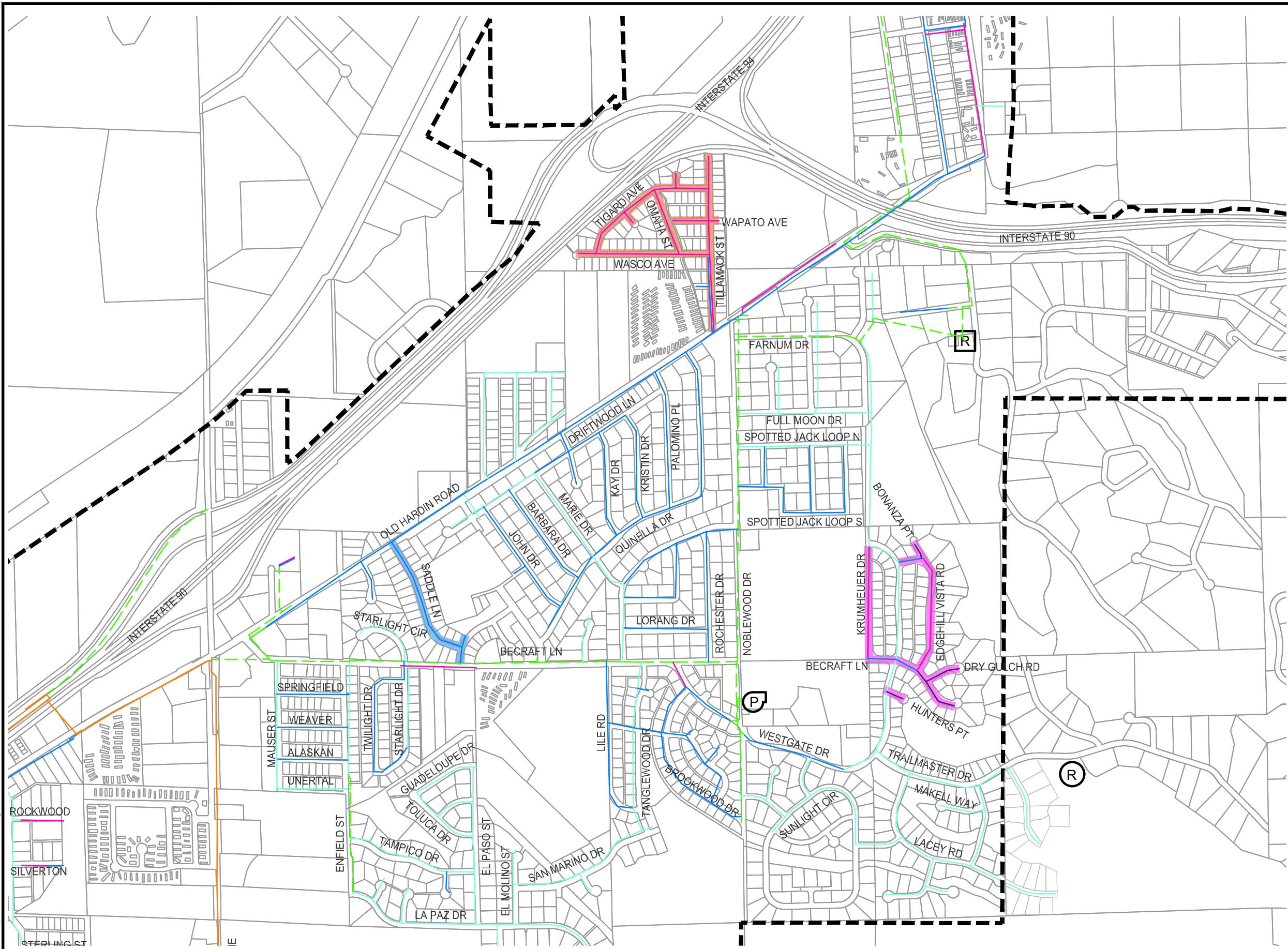
Stephanie Seymanski, PE

Encl: Figure 4-1B  
Figure 9-6B



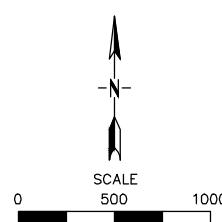
**LEGEND**

- Lockwood Water and Sewer District Boundary
- Water and Sewer Service Area Boundary
- Targeted Economic Development District Study Area (TEED), Nov 2017



**LEGEND**

- - - DISTRICT BOUNDARY
- R RESERVOIR
- PUMP STATION
- 3" PIPE
- 4" PIPE
- 6" PIPE
- 8" PIPE
- 10" PIPE
- 12" PIPE
- 16" PIPE
- 24" PIPE
- (R) NEW MID ZONE RESERVOIR (ALTERNATIVE S2)
- (P) LOCKWOOD SUBDIVISION WATER SYSTEM IMPROVEMENTS (ALTERNATIVES FF5 - FF11)
- (P) EMERALD HILLS WESTGATE SUBDIVISION WATER SYSTEM IMPROVEMENTS (ALTERNATIVES FF14, FF23, ED1 - ED4, ED18)
- (P) JOHNSTON SUBDIVISION WATER SYSTEM IMPROVEMENTS (ALTERNATIVE ED33)



## **Agency Responses and Website Consultations**

**From:** [Murdo, Damon](#)  
**To:** [Stephanie Seymanski](#)  
**Subject:** RE: LWSD 2022 Wtr Master Plan Amend  
**Date:** Tuesday, April 26, 2022 4:48:57 PM  
**Attachments:** [2022042609.pdf](#)  
[Reports.pdf](#)  
[Sites.pdf](#)

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\*\*\*This message originated from an **External Source.**\*\*\* Please use proper judgment and caution when opening attachments, clicking links, or responding to this email.



April 26, 2022

Stephanie Seymanski  
Morrison-Maierle, Inc.  
315 N. 25<sup>th</sup> St., Suite 102  
Billings MT 59101

RE: LOCKWOOD WATER SEWER DISTRICT 2022 WATER MASTER PLAN AMENDMENT. SHPO Project #: 2022042609

Dear Stephanie:

I have conducted a cultural resource file search for the above-cited project located in Sections 19,20,28,29, T1N R27E. According to our records there have been several previously recorded sites within the designated search locales. In addition to the sites there have been a few previously conducted cultural resource inventories done in the areas. I've attached a list of these sites and reports. If you would like any further information regarding these sites or reports, you may contact me at the number listed below.

It is SHPO's position that any structure over fifty years of age is considered historic and is potentially eligible for listing on the National Register of Historic Places. If any structures are within the Area of Potential Effect, and are over fifty years old, we would recommend that they be recorded, and a determination of their eligibility be made prior to any disturbance taking place.

As long as the proposed projects will be kept within previously disturbed right-of-way and there will be no disturbance or alteration to structures over fifty years of age, we feel that there is a low likelihood cultural properties will be impacted. We, therefore, feel that a recommendation for a cultural resource inventory is unwarranted at this time. However, should structures need to be altered or if cultural materials are inadvertently discovered during this project, we would ask that our office be contacted, and the site investigated.

If you have any further questions or comments, you may contact me at (406) 444-7767 or by e-mail at [dmurdo@mt.gov](mailto:dmurdo@mt.gov). I have attached an invoice for the file search. Thank you for consulting with us.

Sincerely,

Damon Murdo  
Cultural Records Manager  
State Historic Preservation Office

File: DEQ/AWWWM/2022



# STATE HISTORIC PRESERVATION OFFICE

## Montana Cultural Resource Database

### CRABS Township, Range, Section Results

Report Date: 4/26/2022

Township: 1 N Range: 27 E Section: 19

#### LAHREN LARRY A.

9/12/1980 A REPORT OF ARCHAEOLOGICAL SURVEY AND INVENTORY CONDUCTED ON JOHNSON LANE AND PINEHILL INTERCHANGES  
CRABS Document Number: YL 4 10676 Agency Document Number: I-90-8(77)455, I-90-8(75)455

Township: 1 N Range: 27 E Section: 20

#### LAHREN LARRY A.

9/12/1980 A REPORT OF ARCHAEOLOGICAL SURVEY AND INVENTORY CONDUCTED ON JOHNSON LANE AND PINEHILL INTERCHANGES  
CRABS Document Number: YL 4 10676 Agency Document Number: I-90-8(77)455, I-90-8(75)455

Township: 1 N Range: 27 E Section: 19

#### WOOD GARVEY C.

3/9/1987 HILDE CONSTRUCTION CO., SANNON BORROW PITS  
CRABS Document Number: YL 4 10698 Agency Document Number:

Township: 1 N Range: 27 E Section: 19

#### BERGSTROM MICHAEL W.

12/4/1989 CULTURAL RESOURCE INVENTORY EAST BILLINGS-INTERSTATE 90 PROJECT  
CRABS Document Number: YL 4 10709 Agency Document Number: IR90-8(118)453

Township: 1 N Range: 27 E Section: 20

#### BERGSTROM MICHAEL W.

12/4/1989 CULTURAL RESOURCE INVENTORY EAST BILLINGS-INTERSTATE 90 PROJECT  
CRABS Document Number: YL 4 10709 Agency Document Number: IR90-8(118)453

Township: 1 N Range: 27 E Section: 19

#### VANDER STEEN KENNETH F.

8/1/1992 PROPOSED HUNTER TO BILLINGS FIBER OPTIC CABLE SYSTEM PROJECT  
CRABS Document Number: YL 6 14593 Agency Document Number: MTPO HU-92-59

Township: 1 N Range: 27 E Section: 20

#### VANDER STEEN KENNETH F.

8/1/1992 PROPOSED HUNTER TO BILLINGS FIBER OPTIC CABLE SYSTEM PROJECT  
CRABS Document Number: YL 6 14593 Agency Document Number: MTPO HU-92-59

Township: 1 N Range: 27 E Section: 19

#### MARTINSON RENEA D. ET.AL.

10/26/2011 EXXON MOBIL SILVERTIP PIPELINE INCIDENT RESPONSE - CULTURAL HERITAGE DIVISION C FORMS  
CRABS Document Number: YL 6 33232 Agency Document Number:

Township: 1 N Range: 27 E Section: 19

#### WAGERS SCOTT J. AND JENNIFER THOMAS

11/4/2011 BILLINGS BYPASS: A CULTURAL RESOURCE INVENTORY IN YELLOWSTONE COUNTY, MONTANA  
CRABS Document Number: YL 4 33325 Agency Document Number:

Township: 1 N Range: 27 E Section: 20

#### WAGERS SCOTT J. AND JENNIFER THOMAS

11/4/2011 BILLINGS BYPASS: A CULTURAL RESOURCE INVENTORY IN YELLOWSTONE COUNTY, MONTANA  
CRABS Document Number: YL 4 33325 Agency Document Number:

Township: 1 N Range: 27 E Section: 19

#### SCOTT SARA, ET AL.

2/1/2014 RADIOCARBON ANALYSES OF FOUR PERISHABLE ARTIFACTS FROM GHOST AND PICTOGRAPH CAVES, MONTANA  
CRABS Document Number: YL 6 35416 Agency Document Number: PA VOL:59 NO:229 70-95

Township: 1 N Range: 27 E Section: 19

#### FANDRICH BLAIN

12/24/2012 ADDENDUM TO BILLINGS BYPASS: A CULTURAL RESOURCE INVENTORY IN YELLOWSTONE COUNTY, MONTANA  
CRABS Document Number: YL 4 34340 Agency Document Number:



# STATE HISTORIC PRESERVATION OFFICE

## Montana Cultural Resource Database

### CRABS Township, Range, Section Results

Report Date: 4/26/2022

Township: 1 N Range: 27 E Section: 19

#### DRIVER CHRISTIAN

12/26/2014 A CULTURAL RESOURCE EVALUATION AND VISUAL EFFECTS ANALYSIS FOR THE PROPOSED 'BIL HAWTHORNE' MONOPOLE TELECOMMUNICATIONS FACILITY, BILLINGS, YELLOWSTONE COUNTY, MONTANA.

CRABS Document Number: YL 6 37627 Agency Document Number:

Township: 1 N Range: 27 E Section: 19

#### FANDRICH BLAIN

12/20/2019 INTERSTATE 90 LOCKWOOD INTERCHANGE TO JOHNSON LANE INTERCHANGE: A CLASS III CULTURAL INVENTORY SECTIONS 25, 26 AND 35, T1N R26E, AND SECTION 19 AND 30, T1N R27E, YELLOWSTONE COUNTY, MONTANA.

CRABS Document Number: YL 4 40284 Agency Document Number:

Township: 1 N Range: 27 E Section: 19

#### CORNELIUS MACKENSIE

8/13/2020 CLASS III CULTURAL RESOURCES REPORT FOR PROPOSED TELECOMMUNICATIONS SITE MTL03124 - LOCKWOOD/14638427, LOCKWOOD, YELLOWSTONE COUNTY, MT EBI PROJECT NO. 6120006504.

CRABS Document Number: YL 6 40586 Agency Document Number: 6120006504

Township: 1 N Range: 27 E Section: 19

#### FANDRICH BLAIN

11/19/2021 BILLINGS BYPASS JOHNSON LANE INTERCHANGE: A CLASS III CULTURAL RESOURCE INVENTORY OF EIGHT RESIDENTIAL PROPERTIES ALONG FIRTH STREET AND BECRAFT LANE IN LOCKWOOD, YELLOWSTONE COUNTY, MONTANA.

CRABS Document Number: YL 4 41195 Agency Document Number:

Township: 1 N Range: 27 E Section: 19

#### FANDRICH BLAIN

1/12/2021 BILLINGS BYPASS JOHNSON INTERCHANGE: A CLASS III CULTURAL RESOURCE INVENTORY IN YELLOWSTONE COUNTY, MONTANA.

CRABS Document Number: YL 4 41194 Agency Document Number:

Township: 1 N Range: 27 E Section: 20

#### FANDRICH BLAIN

1/12/2021 BILLINGS BYPASS JOHNSON INTERCHANGE: A CLASS III CULTURAL RESOURCE INVENTORY IN YELLOWSTONE COUNTY, MONTANA.

CRABS Document Number: YL 4 41194 Agency Document Number:



# STATE HISTORIC PRESERVATION OFFICE

## Cultural Resource Information Systems

### CRIS Township, Range, Section Report

Report Date: 4/26/2022

Site #	Twp	Rng	Sec	Qs	Site Type 1	Site Type 2	Time Period	Owner	NR Status
24YL1714	1N	27E	20	NW	Historic Trash Dump		Historic Period	Private	Undetermined*
24YL1710	1N	27E	20	NE	Historic Residence	Historic Outbuildings	Historic Period	Private	Undetermined*
24YL1709	1N	27E	20	NE	Historic Residence	Historic Outbuildings	No Indication of Time	Private	Undetermined*
24YL1706	1N	27E	20	NE	Historic Homestead/Farmstead		Historic Period	Private	Undetermined*
24YL0272	1N	27E	19	Comb	Historic Irrigation System		1890-1899	Private	Ineligible
24YL0272	1N	27E	20	NW	Historic Irrigation System		1890-1899	Private	Ineligible
24YL0277	1N	27E	19	comb	Historic Railroad		Historic More Than One Decade	Private	Eligible
24YL0641	1N	27E	19	Comb	Historic Residence		Historic More Than One Decade	Private	Demolished/Destroyed/Non-extant
24YL1871	1N	27E	19	SE	Historic Residence		1940-1949	Private	Ineligible
24YL1872	1N	27E	19	SE	Historic Residence		1950-1959	Private	Ineligible
24YL1873	1N	27E	19	SE	Historic Residence		1950-1959	Private	Ineligible
24YL1874	1N	27E	19	NE	Historic Residence		1950-1959	Private	Ineligible
24YL2307	1N	27E	19	SE	Historic Residence		1890-1899	Private	Ineligible
24YL2308	1N	27E	19	SE	Historic Residence		1970-1979	Private	Ineligible



# United States Department of the Interior

FISH AND WILDLIFE SERVICE  
Montana Ecological Services Field Office  
585 Shephard Way, Suite 1  
Helena, MT 59601-6287  
Phone: (406) 449-5225 Fax: (406) 449-5339

In Reply Refer To:

April 26, 2022

Project Code: 2022-0036169

Project Name: LWS Water System Improvements

Subject: List of threatened and endangered species that may occur in your proposed project location or may be affected by your proposed project

To Whom It May Concern:

The enclosed species list identifies threatened, endangered, proposed and candidate species, as well as proposed and final designated critical habitat, that may occur within the boundary of your proposed project and/or may be affected by your proposed project. The species list fulfills the requirements of the U.S. Fish and Wildlife Service (Service) under section 7(c) of the Endangered Species Act (Act) of 1973, as amended (16 U.S.C. 1531 *et seq.*).

New information based on updated surveys, changes in the abundance and distribution of species, changed habitat conditions, or other factors could change this list. Please feel free to contact us if you need more current information or assistance regarding the potential impacts to federally proposed, listed, and candidate species and federally designated and proposed critical habitat. Please note that under 50 CFR 402.12(e) of the regulations implementing section 7 of the Act, the accuracy of this species list should be verified after 90 days. This verification can be completed formally or informally as desired. The Service recommends that verification be completed by visiting the ECOS-IPaC website at regular intervals during project planning and implementation for updates to species lists and information. An updated list may be requested through the ECOS-IPaC system by completing the same process used to receive the enclosed list.

The purpose of the Act is to provide a means whereby threatened and endangered species and the ecosystems upon which they depend may be conserved. Under sections 7(a)(1) and 7(a)(2) of the Act and its implementing regulations (50 CFR 402 *et seq.*), Federal agencies are required to utilize their authorities to carry out programs for the conservation of threatened and endangered species and to determine whether projects may affect threatened and endangered species and/or designated critical habitat.

A Biological Assessment is required for construction projects (or other undertakings having similar physical impacts) that are major Federal actions significantly affecting the quality of the human environment as defined in the National Environmental Policy Act (42 U.S.C. 4332(2)(c)). For projects other than major construction activities, the Service suggests that a biological

evaluation similar to a Biological Assessment be prepared to determine whether the project may affect listed or proposed species and/or designated or proposed critical habitat. Recommended contents of a Biological Assessment are described at 50 CFR 402.12.

If a Federal agency determines, based on the Biological Assessment or biological evaluation, that listed species and/or designated critical habitat may be affected by the proposed project, the agency is required to consult with the Service pursuant to 50 CFR 402. In addition, the Service recommends that candidate species, proposed species and proposed critical habitat be addressed within the consultation. More information on the regulations and procedures for section 7 consultation, including the role of permit or license applicants, can be found in the "Endangered Species Consultation Handbook" at:

<http://www.fws.gov/endangered/esa-library/pdf/TOC-GLOS.PDF>

**Migratory Birds:** In addition to responsibilities to protect threatened and endangered species under the Endangered Species Act (ESA), there are additional responsibilities under the Migratory Bird Treaty Act (MBTA) and the Bald and Golden Eagle Protection Act (BGEPA) to protect native birds from project-related impacts. Any activity, intentional or unintentional, resulting in take of migratory birds, including eagles, is prohibited unless otherwise permitted by the U.S. Fish and Wildlife Service (50 C.F.R. Sec. 10.12 and 16 U.S.C. Sec. 668(a)). For more information regarding these Acts see <https://www.fws.gov/birds/policies-and-regulations.php>.

The MBTA has no provision for allowing take of migratory birds that may be unintentionally killed or injured by otherwise lawful activities. It is the responsibility of the project proponent to comply with these Acts by identifying potential impacts to migratory birds and eagles within applicable NEPA documents (when there is a federal nexus) or a Bird/Eagle Conservation Plan (when there is no federal nexus). Proponents should implement conservation measures to avoid or minimize the production of project-related stressors or minimize the exposure of birds and their resources to the project-related stressors. For more information on avian stressors and recommended conservation measures see <https://www.fws.gov/birds/bird-enthusiasts/threats-to-birds.php>.

In addition to MBTA and BGEPA, Executive Order 13186: *Responsibilities of Federal Agencies to Protect Migratory Birds*, obligates all Federal agencies that engage in or authorize activities that might affect migratory birds, to minimize those effects and encourage conservation measures that will improve bird populations. Executive Order 13186 provides for the protection of both migratory birds and migratory bird habitat. For information regarding the implementation of Executive Order 13186, please visit <https://www.fws.gov/birds/policies-and-regulations/executive-orders/e0-13186.php>.

We appreciate your concern for threatened and endangered species. The Service encourages Federal agencies to include conservation of threatened and endangered species into their project planning to further the purposes of the Act. Please include the Consultation Code in the header of this letter with any request for consultation or correspondence about your project that you submit to our office.

Attachment(s):

- Official Species List
- USFWS National Wildlife Refuges and Fish Hatcheries
- Migratory Birds
- Wetlands

# **Official Species List**

This list is provided pursuant to Section 7 of the Endangered Species Act, and fulfills the requirement for Federal agencies to "request of the Secretary of the Interior information whether any species which is listed or proposed to be listed may be present in the area of a proposed action".

This species list is provided by:

**Montana Ecological Services Field Office**

585 Shephard Way, Suite 1  
Helena, MT 59601-6287  
(406) 449-5225

## Project Summary

Project Code: 2022-0036169

Event Code: None

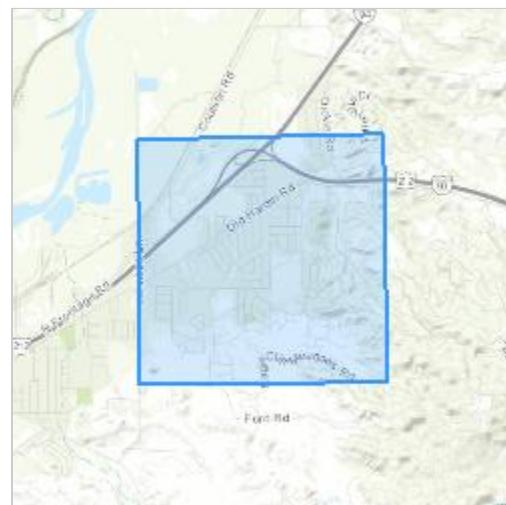
Project Name: LWSD Water System Improvements

Project Type: Water Supply Facility - New Constr

Project Description: This project is located in the Lockwood community of Billings, MT. Approximately 8,800 feet of existing water mains would be replaced and a new Mid Zone Reservoir installed along with an extension of a new water main to the reservoir. The water main replacement areas are located in existing subdivisions in street sections. The reservoir would be constructed on property owned by the Lockwood Water and Sewer District in an area currently in the planning stages of development. Construction is anticipated to occur in 2024.

Project Location:

Approximate location of the project can be viewed in Google Maps: <https://www.google.com/maps/@45.81527955,-108.39432914594198,14z>



Counties: Yellowstone County, Montana

## Endangered Species Act Species

There is a total of 2 threatened, endangered, or candidate species on this species list.

Species on this list should be considered in an effects analysis for your project and could include species that exist in another geographic area. For example, certain fish may appear on the species list because a project could affect downstream species.

IPaC does not display listed species or critical habitats under the sole jurisdiction of NOAA Fisheries<sup>1</sup>, as USFWS does not have the authority to speak on behalf of NOAA and the Department of Commerce.

See the "Critical habitats" section below for those critical habitats that lie wholly or partially within your project area under this office's jurisdiction. Please contact the designated FWS office if you have questions.

- 
1. [NOAA Fisheries](#), also known as the National Marine Fisheries Service (NMFS), is an office of the National Oceanic and Atmospheric Administration within the Department of Commerce.

### Birds

NAME	STATUS
Red Knot <i>Calidris canutus rufa</i>	Threatened

There is **proposed** critical habitat for this species. The location of the critical habitat is not available.  
Species profile: <https://ecos.fws.gov/ecp/species/1864>

### Insects

NAME	STATUS
Monarch Butterfly <i>Danaus plexippus</i>	Candidate

No critical habitat has been designated for this species.  
Species profile: <https://ecos.fws.gov/ecp/species/9743>

### Critical habitats

THERE ARE NO CRITICAL HABITATS WITHIN YOUR PROJECT AREA UNDER THIS OFFICE'S JURISDICTION.

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# **USFWS National Wildlife Refuge Lands And Fish Hatcheries**

Any activity proposed on lands managed by the [National Wildlife Refuge](#) system must undergo a 'Compatibility Determination' conducted by the Refuge. Please contact the individual Refuges to discuss any questions or concerns.

THERE ARE NO REFUGE LANDS OR FISH HATCHERIES WITHIN YOUR PROJECT AREA.

# Migratory Birds

Certain birds are protected under the Migratory Bird Treaty Act<sup>1</sup> and the Bald and Golden Eagle Protection Act<sup>2</sup>.

Any person or organization who plans or conducts activities that may result in impacts to migratory birds, eagles, and their habitats should follow appropriate regulations and consider implementing appropriate conservation measures, as described [below](#).

- 
1. The [Migratory Birds Treaty Act](#) of 1918.
  2. The [Bald and Golden Eagle Protection Act](#) of 1940.
  3. 50 C.F.R. Sec. 10.12 and 16 U.S.C. Sec. 668(a)

The birds listed below are birds of particular concern either because they occur on the [USFWS Birds of Conservation Concern](#) (BCC) list or warrant special attention in your project location. To learn more about the levels of concern for birds on your list and how this list is generated, see the FAQ [below](#). This is not a list of every bird you may find in this location, nor a guarantee that every bird on this list will be found in your project area. To see exact locations of where birders and the general public have sighted birds in and around your project area, visit the [E-bird data mapping tool](#) (Tip: enter your location, desired date range and a species on your list). For projects that occur off the Atlantic Coast, additional maps and models detailing the relative occurrence and abundance of bird species on your list are available. Links to additional information about Atlantic Coast birds, and other important information about your migratory bird list, including how to properly interpret and use your migratory bird report, can be found [below](#).

For guidance on when to schedule activities or implement avoidance and minimization measures to reduce impacts to migratory birds on your list, click on the PROBABILITY OF PRESENCE SUMMARY at the top of your list to see when these birds are most likely to be present and breeding in your project area.

NAME	BREEDING SEASON
Bald Eagle <i>Haliaeetus leucocephalus</i> This is not a Bird of Conservation Concern (BCC) in this area, but warrants attention because of the Eagle Act or for potential susceptibilities in offshore areas from certain types of development or activities.	Breeds Jan 1 to Aug 31
Golden Eagle <i>Aquila chrysaetos</i> This is not a Bird of Conservation Concern (BCC) in this area, but warrants attention because of the Eagle Act or for potential susceptibilities in offshore areas from certain types of development or activities. <a href="https://ecos.fws.gov/ecp/species/1680">https://ecos.fws.gov/ecp/species/1680</a>	Breeds Jan 1 to Aug 31

NAME	BREEDING SEASON
Lark Bunting <i>Calamospiza melanocorys</i> This is a Bird of Conservation Concern (BCC) only in particular Bird Conservation Regions (BCRs) in the continental USA	Breeds May 10 to Aug 15

## Probability Of Presence Summary

The graphs below provide our best understanding of when birds of concern are most likely to be present in your project area. This information can be used to tailor and schedule your project activities to avoid or minimize impacts to birds. Please make sure you read and understand the FAQ "Proper Interpretation and Use of Your Migratory Bird Report" before using or attempting to interpret this report.

### Probability of Presence (■)

Each green bar represents the bird's relative probability of presence in the 10km grid cell(s) your project overlaps during a particular week of the year. (A year is represented as 12 4-week months.) A taller bar indicates a higher probability of species presence. The survey effort (see below) can be used to establish a level of confidence in the presence score. One can have higher confidence in the presence score if the corresponding survey effort is also high.

How is the probability of presence score calculated? The calculation is done in three steps:

1. The probability of presence for each week is calculated as the number of survey events in the week where the species was detected divided by the total number of survey events for that week. For example, if in week 12 there were 20 survey events and the Spotted Towhee was found in 5 of them, the probability of presence of the Spotted Towhee in week 12 is 0.25.
2. To properly present the pattern of presence across the year, the relative probability of presence is calculated. This is the probability of presence divided by the maximum probability of presence across all weeks. For example, imagine the probability of presence in week 20 for the Spotted Towhee is 0.05, and that the probability of presence at week 12 (0.25) is the maximum of any week of the year. The relative probability of presence on week 12 is  $0.25/0.25 = 1$ ; at week 20 it is  $0.05/0.25 = 0.2$ .
3. The relative probability of presence calculated in the previous step undergoes a statistical conversion so that all possible values fall between 0 and 10, inclusive. This is the probability of presence score.

### Breeding Season (■)

Yellow bars denote a very liberal estimate of the time-frame inside which the bird breeds across its entire range. If there are no yellow bars shown for a bird, it does not breed in your project area.

### Survey Effort (|)

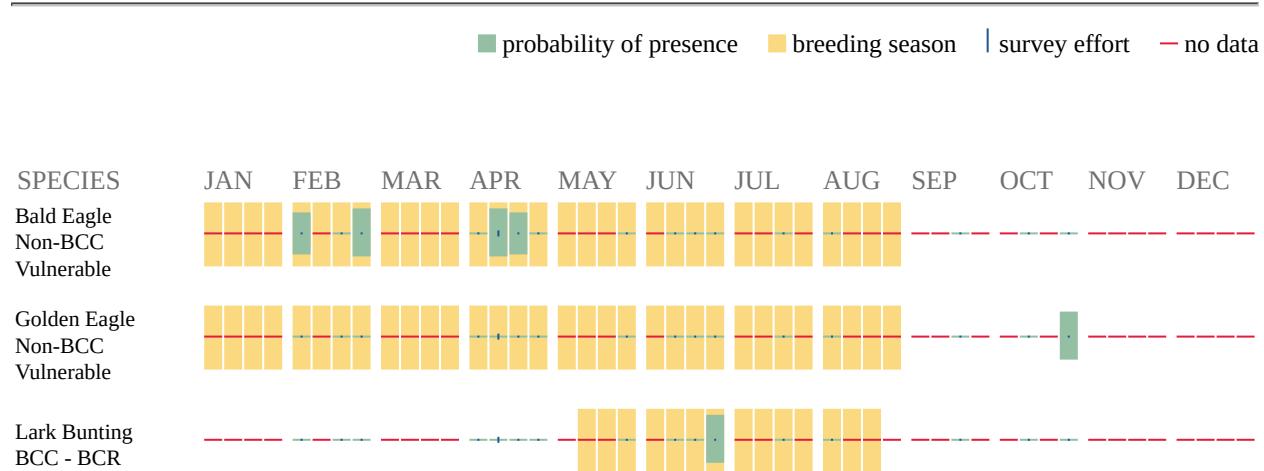
Vertical black lines superimposed on probability of presence bars indicate the number of surveys performed for that species in the 10km grid cell(s) your project area overlaps. The number of surveys is expressed as a range, for example, 33 to 64 surveys.

## No Data (-)

A week is marked as having no data if there were no survey events for that week.

## Survey Timeframe

Surveys from only the last 10 years are used in order to ensure delivery of currently relevant information. The exception to this is areas off the Atlantic coast, where bird returns are based on all years of available data, since data in these areas is currently much more sparse.



Additional information can be found using the following links:

- Birds of Conservation Concern <https://www.fws.gov/program/migratory-birds/species>
- Measures for avoiding and minimizing impacts to birds <https://www.fws.gov/library/collections/avoiding-and-minimizing-incidental-take-migratory-birds>
- Nationwide conservation measures for birds <https://www.fws.gov/sites/default/files/documents/nationwide-standard-conservation-measures.pdf>

## Migratory Birds FAQ

**Tell me more about conservation measures I can implement to avoid or minimize impacts to migratory birds.**

[Nationwide Conservation Measures](#) describes measures that can help avoid and minimize impacts to all birds at any location year round. Implementation of these measures is particularly important when birds are most likely to occur in the project area. When birds may be breeding in the area, identifying the locations of any active nests and avoiding their destruction is a very helpful impact minimization measure. To see when birds are most likely to occur and be breeding in your project area, view the Probability of Presence Summary. [Additional measures](#) or [permits](#) may be advisable depending on the type of activity you are conducting and the type of infrastructure or bird species present on your project site.

**What does IPaC use to generate the migratory birds potentially occurring in my specified location?**

The Migratory Bird Resource List is comprised of USFWS [Birds of Conservation Concern \(BCC\)](#) and other species that may warrant special attention in your project location.

The migratory bird list generated for your project is derived from data provided by the [Avian Knowledge Network \(AKN\)](#). The AKN data is based on a growing collection of [survey, banding, and citizen science datasets](#) and is queried and filtered to return a list of those birds reported as occurring in the 10km grid cell(s) which your project intersects, and that have been identified as warranting special attention because they are a BCC species in that area, an eagle ([Eagle Act](#) requirements may apply), or a species that has a particular vulnerability to offshore activities or development.

Again, the Migratory Bird Resource list includes only a subset of birds that may occur in your project area. It is not representative of all birds that may occur in your project area. To get a list of all birds potentially present in your project area, please visit the [AKN Phenology Tool](#).

### **What does IPaC use to generate the probability of presence graphs for the migratory birds potentially occurring in my specified location?**

The probability of presence graphs associated with your migratory bird list are based on data provided by the [Avian Knowledge Network \(AKN\)](#). This data is derived from a growing collection of [survey, banding, and citizen science datasets](#).

Probability of presence data is continuously being updated as new and better information becomes available. To learn more about how the probability of presence graphs are produced and how to interpret them, go the Probability of Presence Summary and then click on the "Tell me about these graphs" link.

### **How do I know if a bird is breeding, wintering, migrating or present year-round in my project area?**

To see what part of a particular bird's range your project area falls within (i.e. breeding, wintering, migrating or year-round), you may refer to the following resources: [The Cornell Lab of Ornithology All About Birds Bird Guide](#), or (if you are unsuccessful in locating the bird of interest there), the [Cornell Lab of Ornithology Neotropical Birds guide](#). If a bird on your migratory bird species list has a breeding season associated with it, if that bird does occur in your project area, there may be nests present at some point within the timeframe specified. If "Breeds elsewhere" is indicated, then the bird likely does not breed in your project area.

### **What are the levels of concern for migratory birds?**

Migratory birds delivered through IPaC fall into the following distinct categories of concern:

1. "BCC Rangewide" birds are [Birds of Conservation Concern](#) (BCC) that are of concern throughout their range anywhere within the USA (including Hawaii, the Pacific Islands, Puerto Rico, and the Virgin Islands);
2. "BCC - BCR" birds are BCCs that are of concern only in particular Bird Conservation Regions (BCRs) in the continental USA; and
3. "Non-BCC - Vulnerable" birds are not BCC species in your project area, but appear on your list either because of the [Eagle Act](#) requirements (for eagles) or (for non-eagles)

potential susceptibilities in offshore areas from certain types of development or activities (e.g. offshore energy development or longline fishing).

Although it is important to try to avoid and minimize impacts to all birds, efforts should be made, in particular, to avoid and minimize impacts to the birds on this list, especially eagles and BCC species of rangewide concern. For more information on conservation measures you can implement to help avoid and minimize migratory bird impacts and requirements for eagles, please see the FAQs for these topics.

### **Details about birds that are potentially affected by offshore projects**

For additional details about the relative occurrence and abundance of both individual bird species and groups of bird species within your project area off the Atlantic Coast, please visit the [Northeast Ocean Data Portal](#). The Portal also offers data and information about other taxa besides birds that may be helpful to you in your project review. Alternately, you may download the bird model results files underlying the portal maps through the [NOAA NCCOS Integrative Statistical Modeling and Predictive Mapping of Marine Bird Distributions and Abundance on the Atlantic Outer Continental Shelf](#) project webpage.

Bird tracking data can also provide additional details about occurrence and habitat use throughout the year, including migration. Models relying on survey data may not include this information. For additional information on marine bird tracking data, see the [Diving Bird Study](#) and the [nanotag studies](#) or contact [Caleb Spiegel](#) or [Pam Loring](#).

### **What if I have eagles on my list?**

If your project has the potential to disturb or kill eagles, you may need to [obtain a permit](#) to avoid violating the Eagle Act should such impacts occur.

### **Proper Interpretation and Use of Your Migratory Bird Report**

The migratory bird list generated is not a list of all birds in your project area, only a subset of birds of priority concern. To learn more about how your list is generated, and see options for identifying what other birds may be in your project area, please see the FAQ "What does IPaC use to generate the migratory birds potentially occurring in my specified location". Please be aware this report provides the "probability of presence" of birds within the 10 km grid cell(s) that overlap your project; not your exact project footprint. On the graphs provided, please also look carefully at the survey effort (indicated by the black vertical bar) and for the existence of the "no data" indicator (a red horizontal bar). A high survey effort is the key component. If the survey effort is high, then the probability of presence score can be viewed as more dependable. In contrast, a low survey effort bar or no data bar means a lack of data and, therefore, a lack of certainty about presence of the species. This list is not perfect; it is simply a starting point for identifying what birds of concern have the potential to be in your project area, when they might be there, and if they might be breeding (which means nests might be present). The list helps you know what to look for to confirm presence, and helps guide you in knowing when to implement conservation measures to avoid or minimize potential impacts from your project activities, should presence be confirmed. To learn more about conservation measures, visit the FAQ "Tell me about conservation measures I can implement to avoid or minimize impacts to migratory birds" at the bottom of your migratory bird trust resources page.

## **Wetlands**

Impacts to [NWI wetlands](#) and other aquatic habitats may be subject to regulation under Section 404 of the Clean Water Act, or other State/Federal statutes.

For more information please contact the Regulatory Program of the local [U.S. Army Corps of Engineers District](#).

Please note that the NWI data being shown may be out of date. We are currently working to update our NWI data set. We recommend you verify these results with a site visit to determine the actual extent of wetlands on site.

WETLAND INFORMATION WAS NOT AVAILABLE WHEN THIS SPECIES LIST WAS GENERATED.  
PLEASE VISIT [HTTPS://WWW.FWS.GOV/WETLANDS/DATA/MAPPER.HTML](https://www.fws.gov/wetlands/data/mapper.html) OR CONTACT THE FIELD OFFICE FOR FURTHER INFORMATION.

## IPaC User Contact Information

Agency: Morrison-Maierle, Inc.

Name: Stephanie Seymanski

Address: 315 N 25th St, Ste 102

City: Billings

State: MT

Zip: 59101

Email: sseymanski@m-m.net

Phone: 4072371243

**From:** [Darin Swenson](#)  
**To:** [Stephanie Seymanski](#)  
**Subject:** LWSD 2022 Water Master Plan Amendment  
**Date:** Monday, April 25, 2022 2:44:40 PM

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\*\*\*This message originated from an **External Source.**\*\*\* Please use proper judgment and caution when opening attachments, clicking links, or responding to this email.

Dear Ms. Seymanski:

I have reviewed the exhibits provided for the Lockwood Water and Sewer District 2022 Water Master Plan Amendment and have the following comments.

None of the chosen areas are within a Federal Emergency Management Agency depicted floodplain, therefore no floodplain permit would be required.

All of the streets within the chosen areas are public rights-of-way and will require right-of-way permits from Yellowstone County Public Works before construction begins. As such, all roads within these areas are paved (with the exception of Krumhueuer Drive) and the pavement will need to be restored to either the existing conditions or the County standard of 3 inches of pavement over 3 inches of crushed gravel over 12 inches of pit run, whichever is greater.

Krumhueuer Drive is a combination of paved and gravel. The paved portions will need to be restored as above. The gravel portion will need to be restored to either existing conditions or the County standard of 3 inches of crushed gravel over 12 inches of pit run, whichever is greater.

Please let me know if you need anything else.

Sincerely yours,

Darin Swenson, PE, CFM  
(406) 256-2735 Fax (406) 254-7946  
Yellowstone County Public Works  
P.O. Box 35024  
Billings, MT 59107

**\*Please note my email has changed to [dswenson@yellowstonecountymt.gov](mailto:dswenson@yellowstonecountymt.gov) as of August 1<sup>st</sup> \*\***