



United States Department of the Interior

FISH AND WILDLIFE SERVICE
Montana Ecological Services Office
585 Shephard Way, Suite 1
Helena, Montana 59601-6287



In Reply Refer to:
FWS/R6
M.17 FHWA;
2023-0102635-S7-001

July 10, 2023

Joe Weigand
Federal Highway Administration
Montana Division
585 Shephard Way, Suite 2
Helena, Montana 59601

Dear Mr. Weigand:

Thank you for your letter of May 12, 2023, requesting U.S. Fish and Wildlife Service (Service) review and consultation on the proposed I-90 Structures—West of Alberton Bridge Replacements: Old Hwy 10, Clark Fork River, and Cyr Bridges geotechnical drilling activities (NHPB 90-1(239)65; UPN 9786000) project. We received the biological assessment (BA) on May 11, 2023, via email from Shane Talley of the Montana Department of Transportation (Department). As the Federal Highway Administration's (FHWA) designated non-federal representative, the Department analyzed the proposed action for effects on federally-listed threatened, endangered, and proposed species; specifically, the threatened bull trout (*Salvelinus confluentus*) and designated bull trout critical habitat. This letter addresses the project-related effects to listed species that may occur in the project vicinity in accordance with the Endangered Species Act of 1973, as amended (Act) (16 U.S.C. 1531 et seq.).

According to the BA, the Department is proposing the removal and replacement of two existing bridge structures, and the repair of one bridge structure on westbound Interstate 90 (I-90) in Mineral County, west of the town of Alberton, Montana. The existing Old Highway 10 Bridge (Reference Post [RP] 65.5) will be repaired. The existing Clark Fork River Bridge (RP 66.3), and Cyr Bridge (RP 70.1) will be removed and replaced. The Administration initiated this consultation to conduct pre-project geotechnical drilling investigations at the Clark Fork River and Cyr Bridge structures to analyze geotechnical characteristics for incorporation into bridge pier design. No geotechnical drilling is proposed for the Old Highway 10 bridge site.

The BA covers four borings beneath intermediate bridge spans at each bridge site (eight borings total). The boreholes will be located at proposed piers, and will be 3 – 6 inches in diameter. The boring locations at both bridge sites are located on steep slopes with difficult access and will require the use of a crane pad-mounted drill rig. Four approximately 30-foot by 30-foot crane pads are anticipated for the work. Due to the steep slopes and access issues, temporary access roads will be constructed to access the crane pads. To prevent surface runoff from traveling offsite, Best Management Practices will be employed for the access roads, crane pads, and boreholes. After

drilling activities are completed, access roads and crane pads will be roughly regraded to original contours and reseeded.

We have reviewed the BA and additional information provided via email, and concur with your determination that the proposed project *may affect, not likely to adversely affect* the threatened bull trout and bull trout critical habitat. We based our conclusion on the information displayed in the BA, information obtained during consultation, and implementation of the Department's Standard Specifications for Water Pollution and Control [208.03.2] and Protection of Aquatic Resources [208.03.3], and based on information in our records.

This concludes informal consultation pursuant to the regulations implementing section 7(a)(2) of the Act (50 C.F.R. 402.13). This project should be re-analyzed: (1) if new information reveals effects of the action that may affect listed species or critical habitat in a manner or to an extent not considered in this consultation; (2) if the action is subsequently modified in a manner that causes an effect to the listed species or critical habitat that was not considered in this consultation; or (3) if a new species is listed or critical habitat designated that may be affected by the action (50 CFR 402.16).

We appreciate your efforts to ensure the conservation of threatened and endangered species as part of our joint responsibilities under the Act. If you have further questions related to this consultation or your responsibilities under the Act, please contact Mike McGrath at (406) 430-9009, or at mike_mcgrath@fws.gov.

Sincerely,

A handwritten signature in blue ink that reads "Pascal M Martens".

for Ben Conard
Acting Office Supervisor

cc: Shane Talley and Bill Semmens, Montana Department of Transportation, Helena, Montana