

Montana Department of Transportation

2701 Prospect
PO Box 201001
Helena MT 59620-1001

Greg Gianforte, Governor
Malcolm "Mack" Long, Director

July 15, 2022

Lucia Olivera, Division Administrator
Federal Highway Administration
585 Shepard Way
Helena, MT 59601-9785

Subject: Request for Concurrence of Continued Validity of FEIS/ROD
BBP – RR O’PASS
NCDP-MT 56(55)
CN: 4199005

Dear Lucia Olivera,

The Montana Department of Transportation (MDT) is proposing to split the currently programmed BBP-RR O’PASS project (part of the overall Billings Bypass project) into two separate projects for final design and construction. The Railroad O’Pass segment is located adjacent to the City of Billings in Yellowstone County. The project is currently programmed as a single project beginning at RP 1.42 (south of the BNSF railroad crossing of Coulson Road) and ending at RP 2.37 (east of the Yellowstone River). The length of the project is about 0.95 miles.

The Billings Bypass Final Environmental Impact Statement (FEIS) was signed by your agency on March 18, 2014, and the Final Record of Decision (ROD) was signed by your agency on July 25, 2014. A first Revised ROD was prepared in 2019 to address design modifications to the proposed Yellowstone River Bridge and changes to lane configurations within the Yellowstone River segment of the Billings Bypass. The first Revised ROD was signed by your agency on December 18, 2019. A second Revised ROD was prepared in 2021 to address design modifications to the bridge crossing over the MRL railroad tracks and Coulson Road within the Railroad O’Pass segment of the Billings Bypass. The second Revised ROD was signed by your agency on May 13, 2021.

MDT Environmental Services Bureau has reviewed the Railroad O’Pass segment, the previously approved FEIS and ROD for the Billings Bypass, the current regulatory requirements, and the existing conditions along the current Railroad O’Pass project corridor. Based on this analysis, MDT concludes that the requirements of both the National and Montana Environmental Policy Acts (NEPA and MEPA) are met for the subject project through a Re-evaluated Environmental Impact Statement (REIS) as described in 23 Code of Federal Regulations (CFR) 771.129(b) rather than a Supplemental Environmental Impact Statement (SEIS) as described in 23 CFR 771.130.

The purpose of this letter is to demonstrate MDT NEPA/MEPA compliance by documenting any changes to the environmental conditions within the Railroad O’Pass project corridor as well as any updates to the proposed Railroad O’Pass segment since the 2021 REIS was completed. This letter also requests Federal Highway Administration (FHWA) concurrence that the following proposed split of the current Railroad O’pass segment and changes in environmental information would not require the preparation of a SEIS.

The following re-evaluation discusses new information or circumstances and ensures that current environmental requirements are addressed. The re-evaluation focuses on the changes that have arisen since approval of the BBP-RR O’PASS REIS in 2021.

As described in Chapter 1.3 of the FEIS, the purpose of the Billings Bypass project is to improve access and connectivity between Interstate 90 (I-90) and Old Highway 312 and to improve mobility in the eastern area of Billings. The purpose and need for the Billings Bypass has not changed since the approval of the original FEIS/ROD in 2014.

DESCRIPTION OF CHANGED CONDITIONS

Design Refinement/Change 1: The project split is being proposed because of issues in (1) obtaining a railroad agreement with BNSF (to construct the railroad overpass structure) and in (2) obtaining the last right-of-way parcel needed for the project. These issues are both at the southeast end of the current Railroad O’pass segment and will not be completed in time to allow for a fiscal 2022 letting. The proposed project split location is at Reference Post 1.59 (Station 105+00). This location was chosen so that the construction work on the western segment would not encroach into BNSF railroad right-of-way.

By splitting this project into two construction projects, MDT expects to finish the PE process and deliver the PS&E package for the western segment of the project (the road work between the Yellowstone River and the railroad) in time to meet the schedule for a fiscal 2022 letting. The eastern segment (the railroad overpass w/approaches) would then be let as soon possible after the above noted issues are resolved.

The project has passed the Final Plan Review stage and final construction plans are almost complete. The current design/plans package for the Railroad O’pass segment will be revised into two separate construction plan packages. Otherwise, no changes are proposed to the either the project’s design or its approved scope of work.

MDT is therefore proposing that the existing BBP-Railroad O’Pass project be split into the following two projects with the noted project numbers, names, and UPNs:

- Segment A: **NH 56(96), BBP-RR O’PASS, UPN 4199005.** This would include the construction of the railroad overpass structure as well as short sections of road approaches leading to the bridge from the north and south. It would also include a temporary roadway connection to Coulson Road.
- Segment B: **NH 56(101), BBP-RR O’PASS TO YELLOWSTONE R, UPN 4199008.** This project would include the construction of the mainline roadway of the Billings Bypass between the Yellowstone River segment and the railroad overpass. The project

would tie into the Yellowstone River Bridge to the west and stop just short of the railroad right-of-way to the east.

An updated project map is included (Attachment 1) showing the extents of Segments A and B.

Environmental Change 1: Biological Resources Update

Threatened and Endangered Species and State Species of Concern

The only update to the biological resources since the 2021 REIS is a June 2022 addendum that addresses the candidate Monarch butterfly; this addendum applies to both Segment A and Segment B.

Due to the Railroad Overpass Segment now being split into two construction projects (Segment A and Segment B), the BRR/BA Addendum Report completed for the Railroad O’pass segment was reviewed to identify any changes since that report was approved on October 29, 2020. Since the approval of the BRR/BA Addendum Report, the monarch butterfly (*Danaus plexippus*) has been designated as a Candidate Species due to long-term declines in overwintering populations, largely due to loss and degradation of habitat, exposure to insecticides, and climate change. This designation occurred on December 15, 2020. An update to the BRR/BA Addendum Report, to include the monarch butterfly, was completed on July 1, 2022; this addendum is included as Attachment 2.

Monarch butterflies migrate through Montana in the spring and fall as they move between central Mexico and Canada. While monarch butterflies may migrate through the area, suitable foraging and resting habitat is limited within the Railroad O’pass project corridor as the area consists primarily of cultivated agricultural lands that are continually mowed, a large gravel pit, and an access road used to construct the Yellowstone River segment of the Billings Bypass. According to MTNHP, the closest recorded observation of a monarch butterfly was over 30 miles southwest of the project limits in 2016.

The monarch butterfly is not anticipated in the project area due to limited suitable habitat and current construction disturbance associated with the Yellowstone River segment. Therefore, activities associated with Segment A and Segment B would ***not jeopardize the continued existence*** of monarch butterfly.

The change in impacts to Threatened and Endangered species is consistent with the findings in the FEIS/ROD and would not be considered “significant” in terms of context and intensity.

RE-EVALUATION

The scope of this re-evaluation includes project split documentation and the evaluation of both changed conditions and updated environmental information. This re-evaluation includes a review of the 2021 REIS for any changes in the previously identified environmental resources and impacts as well as any mitigation commitments associated with the environmental changes. This re-evaluation is applicable to both Segment A and Segment B.

Resource Category Re-Evaluation

The following resource categories were previously examined in the Billings Bypass FEIS, the REIS for the Railroad O’pass segment in 2021, and have been re-evaluated in the context of the split to Railroad O’pass project as currently proposed and, where applicable, new or updated information is provided. Table 1 provides an overview of the resource category and whether a change in either impact or mitigation has occurred. Resource categories with changed conditions were described in greater detail above.

Table 1. Re-evaluation of Resource Categories

Resource Category	Change in Impact? Yes/No	Change in Mitigation? Yes/No	Discussion
Traffic Operations	No	No	No concerns have been identified since the 2021 FEIS/ROD.
Access	No	No	No concerns have been identified since the 2021 FEIS/ROD.
Safety	No	No	No concerns have been identified since the 2021 FEIS/ROD.
Pedestrian and Bicycle Considerations	No	No	No concerns have been identified since the 2021 FEIS/ROD.
Land Use	No	No	No changes have occurred since the 2021 FEIS/ROD.
Parks and Recreation	No	No	No changes have been identified since the 2021 FEIS/ROD.
Social	No	No	No concerns have been identified since the 2021 FEIS/ROD.
Economic	No	No	No concerns have been identified since the 2021 FEIS/ROD.
Environmental Justice	No	No	No concerns have been identified since the 2021 FEIS/ROD.
Right-of-Way	No	No	No changes have been identified since the 2021 FEIS/ROD. The project is being split, in part, to address difficulties with right-of-way in Segment A.
Railroad	No	No	No changes have been identified since the 2021 FEIS/ROD. The project is being split, in part, to address difficulties with railroad agreements in Segment A.
Utilities	No	No	No changes have been identified since the 2021 FEIS/ROD.
Historic and Cultural Resources	No	No	No changes have been identified since the 2021 FEIS/ROD.
Section 4(f) and Section 6(f) Resources	No	No	No changes have been identified since the 2021 FEIS/ROD.
Visual Resources	No	No	No changes have been identified since the 2021 FEIS/ROD.

Resource Category	Change in Impact? Yes/No	Change in Mitigation? Yes/No	Discussion
Noise	No	No	No changes have been identified since the 2021 FEIS/ROD.
Farmland	No	No	No changes have been identified since the 2021 FEIS/ROD.
Irrigation	No	No	No changes have been identified since the 2021 FEIS/ROD.
Energy	No	No	No concerns have been identified since the 2021 FEIS/ROD.
Air Quality	No	No	No changes have been identified since the 2021 FEIS/ROD.
Hazardous Materials	No	No	No changes have been identified since the 2021 FEIS/ROD.
Water Resources and Water Quality	No	No	No concerns have been identified since the 2021 FEIS/ROD.
Wild and Scenic Rivers	No	No	No changes have been identified since the 2021 FEIS/ROD.
Waterbody Modifications	No	No	No changes have been identified since the 2021 FEIS/ROD.
Floodplains	No	No	No changes have been identified since the 2021 FEIS/ROD.
Wetlands	No	No	No changes have been identified since the 2021 FEIS/ROD.
Vegetation	No	No	No changes have been identified since the 2021 FEIS/ROD.
Wildlife and Aquatic Resources	No	No	No concerns have been identified since the 2021 FEIS/ROD.
State Species of Concern and Special Status Species	No	No	No changes have been identified since the 2021 FEIS/ROD.

Resource Category	Change in Impact? Yes/No	Change in Mitigation? Yes/No	Discussion
Threatened and Endangered Species	Yes	No	<p>Since the 2021 REIS, the monarch butterfly (<i>Danaus plexippus</i>) has been designated as a Candidate Species due to long-term declines in overwintering populations, largely due to loss and degradation of habitat, exposure to insecticides, and climate change. This designation occurred on December 15, 2020. An update to the BRR/BA Addendum Report, to include the monarch butterfly, was completed on July 1, 2022.</p> <p>Monarch butterflies migrate through Montana in the spring and fall as they move between central Mexico and Canada. While monarch butterflies may migrate through the area, suitable foraging and resting habitat is limited within the Railroad O’pass project corridor as the area consists primarily of cultivated agricultural lands that are continually mowed, a large gravel pit, and an access road used to construct the Yellowstone River segment of the Billings Bypass. According to MTNHP, the closest recorded observation of a monarch butterfly was over 30 miles southwest of the project limits in 2016.</p> <p>The monarch butterfly is not anticipated in the project area due to limited suitable habitat and current construction disturbance associated with the Yellowstone River segment. Therefore, activities associated with Segment A and Segment B would <i>not jeopardize the continued existence</i> of monarch butterfly.</p> <p>The change in impacts to Threatened and Endangered species is consistent with the findings in the FEIS/ROD and would not be considered “significant” in terms of context and intensity.</p>

CONCLUSION

Through this re-evaluation, MDT has determined that no substantive changes have occurred since the REIS in 2021. The design and environmental updates described in this re-evaluation would not affect the ability of either of the proposed project segments of the Billings Bypass to meet the stated purpose as described in the FEIS and ROD. Additionally, MDT has determined that the impacts of these design and environmental updates are not, individually or cumulatively, significant nor significantly different from those impacts described in the FEIS and ROD.

MDT has determined that the design and environmental updates would have no effect on the ultimate decision documented in the ROD and that approving this updated NEPA/MEPA evaluation for these project segments is consistent with 23 CFR 771.

REVIEWED/AUTHORIZED

Date: By Tom Martin at 7:46 am, Jul 15, 2022



Tom Martin, P.E.
Environmental Services Bureau Chief
Montana Dept. of Transportation

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Date: _____

Federal Highway Administration

Electronic copies:

Rod Nelson, P.E.	Billings District Administrator
Tom Martin, P.E.	Environmental Services Bureau Chief
Tom Gocksch, P.E.	Environmental Services Bureau Engineering Section Supervisor
Damian Krings, P.E.	Highways Engineer
Jason Gilliam	Right-of-Way Bureau Chief
Fred Bente	Consultant Design
Darrin Reynolds	Engineering Construction Contraction Bureau Chief
Lisa Hurley	Fiscal Programming Section Supervisor
Tommy Griffeth	Billings District Project Development Engineer
Alan Woodmansey, P.E.	FHWA Project Delivery Engineer
Montana Legislative Branch	Environmental Quality Council (EQC)

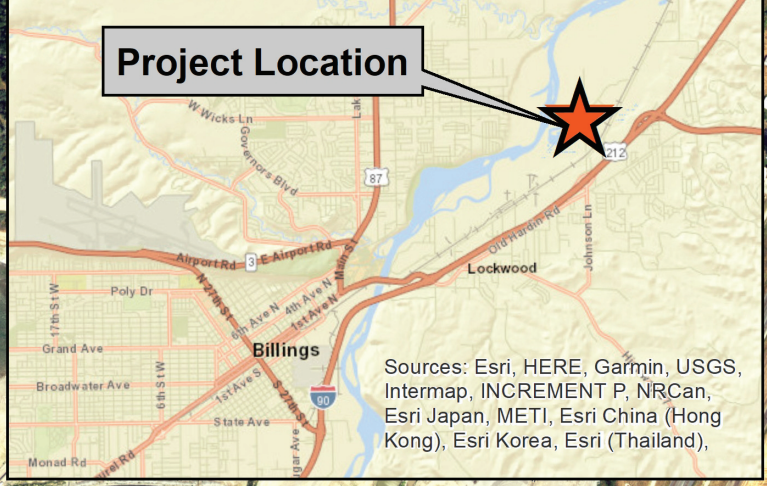
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Attachment 1: Updated Project Map

Yellowstone River

Start Yellowstone River Segment

Project Location



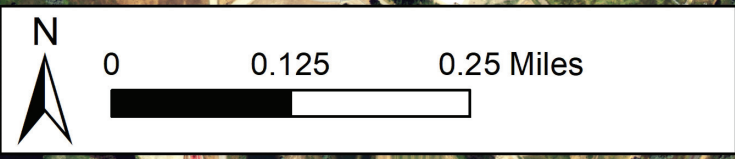
Segment B

Coulson Road

Montana Rail Link

Segment A

 **Project Limits**



Attachment 2: BRR/BA Addendum Report

Railroad Overpass Addendum to Final Biological Resources Report / Biological Assessment

MDT Activity 196

**BBP – Railroad O’pass
NCDP-MT 56(55)
CN: 4199005 and 4199008**

Prepared for:




Helena, MT

Prepared by:



1300 Cedar Street
Helena, Montana 59601

July 1, 2022

Principal Author: 

Emily Peterson
DOWL Environmental Manager
406.442.0370

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C	US Fish and Wildlife Species List for Yellowstone County, Montana

LIST OF ACRONYMS

BA.....	Biological Assessment
BMP.....	Best Management Practices
BRR.....	Biological Resources Report
CWA.....	Clean Water Act
FEIS.....	Final Environmental Impact Statement
FWP.....	Montana Fish, Wildlife, and Parks
MDT.....	Montana Department of Transportation
MTNHP.....	Montana Natural Heritage Program
NRCS.....	Natural Resource Conservation Service
NWI.....	National Wetland Inventory
ROD.....	Record of Decision
USACE.....	United States Army Corps of Engineers
USGS.....	United States Geological Service
USFWS.....	United States Fish & Wildlife Service

EXECUTIVE SUMMARY

A Final Biological Resources Report/Biological Assessment (BRR/BA) was completed for the Billings Bypass in November 2011. Two addenda to that report were completed in June 2012 and August 2013. The 2011 BRR/BA Report and the 2012 report addendum served as a basis for informal consultation with the US Fish and Wildlife Service (USFWS) concerning potential effects of future Billings Bypass projects on federally listed species. The August 2013 addendum was completed to confirm there had been no changes to the USFWS Yellowstone County list of threatened and endangered species since the 2012 addendum and confirm the USFWS determination was still current. Impacts to biological resources were also evaluated in the 2014 Billings Bypass Final Environmental Impact Statement (FEIS).

Due to the Billings Bypass project now being split into six construction projects and the time lapse since the August 2013 addendum and 2014 FEIS, BRR/BA Addendums are being prepared for each project segment as updates to the original BRR/BA, addenda, and Billings Bypass FEIS.

This BRR/BA Addendum Report has been prepared for the Railroad Overpass project segment of the Billings Bypass, to document changes in the Railroad Overpass project vicinity from what was presented in the November 2011 BRR/BA, subsequent 2012 and 2013 addenda, and the 2014 FEIS. The addendum includes updates to the Railroad Overpass project description. It also provides general wildlife and vegetation updates, aquatic resources and wetlands updates, state species of concern updates, and updated information on federally threatened and endangered species within the Railroad Overpass project vicinity. The addendum will be included as part of the FEIS Re-evaluation for the Railroad Overpass project segment.

ADDENDUM SUMMARY

The Railroad Overpass study area, proposed design, existing conditions, avoidance and minimization measures, impacts, and recommended conservation measures described in the 2011 BRR/BA, subsequent 2012 and 2013 addenda, and the 2014 Billings Bypass FEIS are still valid and remain unchanged except as detailed below.

- Refinements/changes in the Railroad Overpass project design since the BRR/BA and FEIS include constructing a single bridge, rather than two side-by-side bridges, over the Montana Rail Link (MRL) railroad tracks and Coulson Road. The single structure would have two, 12-foot travel lanes, 8-foot shoulders, and 1-foot concrete barriers for a total width of 42-feet. The bridge structure would be designed to allow for future widening (bypass full buildout) to accommodate two additional 12-foot travel lanes. In addition, a temporary connector from the new bypass to Coulson Road would be constructed to allow access/connectivity to Coulson Road in the interim while the subsequent project segment (the segment from Railroad Overpass to the Johnson Interchange) is developed. The temporary connection would be a two-lane, double tee connection. The temporary connector would be removed when the subsequent project segment is built.

- The Railroad Overpass project segment would be constructed as two separate sub-segments. Segment A would include constructing the railroad overpass structure, the sections of roadway approach leading up to the new railroad bridge, and construction of the temporary connector from the new bypass to Coulson Road. Segment B would include construction of the bypass roadway from the Yellowstone River Bridge segment to the railroad right-of-way.
- A wetland delineation was completed in 2011 as part of the developing Billings Bypass FEIS. As more than five years has passed since the original wetland delineation was conducted and to ensure all wetlands were identified within the refined design alignment for the Railroad Overpass project, a wetland delineation was conducted in May 2017. During the 2017 wetland delineation effort, the 2011 wetland boundaries were updated to current conditions. No additional wetlands along this segment of the bypass were identified. Under the proposed roadway and bridge construction outlined in the 2014 FEIS for the Railroad Overpass segment, approximately 0.23 acre of wetland impact was determined. Permanent wetland impact as a result of the refined Railroad Overpass project design and updated wetland delineation is approximately 0.05 acre. The decrease in wetland impacts results from changes in wetland boundaries and wetlands no longer existing (due to agricultural practices) during the 2017 field delineation.
- The 2020 state Species of Concern recorded occurrences list from Montana Natural Heritage Program (MTNHP) identified 14 wildlife Species of Concern and one plant Species of Concern within three miles of the Railroad Overpass Project. Eleven of these Species of Concern were discussed in the 2011 BRR/BA and 2014 FEIS. No additional impacts or concerns related to the 11 original species have been identified since the 2011 BRR/BA and 2014 FEIS. Of the remaining three wildlife species and one plant species not discussed in the 2011 BRR/BA and 2014 FEIS, suitable habitat is found within the Railroad Overpass project vicinity for listed species. Direct mortality to some species may occur due to inability to disperse during construction. Temporary noise related impacts would also occur during construction.
- Current 2019 Montana Fish, Wildlife, and Parks (FWP) observation data on Bald Eagles shows several documented occurrences of Bald Eagle and Bald Eagle nests along the Yellowstone River Corridor; however, no Bald Eagle nests or occurrences have been documented within 0.25 mile of the project limits. MTNHP data shows a nesting Bald Eagle was documented in May 2016 a little over 0.25 mile northwest of the Railroad Overpass northern limits. FWP noted that this nest has since blown down. Therefore, additional minimization measures and timing restrictions for the Railroad Overpass segment are not currently proposed. Should a new active nest be constructed and identified within 0.5 miles of the project limits, the Montana Department of Transportation (MDT) District Biologist would be contacted to coordinate with Montana FWP to determine if a timing restriction on construction activities is warranted.

- The Greater Sage-Grouse (*Centrocercus urophasianus*), black-footed ferret (*Mustela nigripes*), and Sprague's Pipit (*Anthus spragueii*) have been removed from the June 2020 list of endangered, threatened, proposed, and candidate species for Yellowstone County. Therefore, the project effect determinations for these species stated in the 2011 BRR/BA, 2012 addendum, and the USFWS 2012 concurrence letter will remain valid. Red Knot (*Calidris canutus rufa*) and monarch butterfly (*Danaus plexippus*) have been added to the Yellowstone County list. Whooping Crane (*Grus americana*) remains on the list.

There are no records of Red Knot or Whooping Crane breeding in the state. Both species are known to migrate through Montana on occasion in the spring and fall as they head to breeding territories in northern Canada and the Arctic, respectively. There are three observations for Whooping Crane within a 30-mile radius of the proposed Railroad Overpass project over the last 100 years. The nearest observation was documented more than 10 miles to the northeast as a fly-over in April 2010. One observation of Red Knot is documented less than 1.0 mile southwest of the proposed Railroad Overpass project limits. This individual was a transient (non-breeding and short-term) documented in 1975, and not seen since. Two other observations in the general geographic area are greater than 30 miles from the project vicinity. Neither the Whooping Crane nor Red Knot would be anticipated in the Railroad Overpass project vicinity as limited-to-no-appropriate habitat is present. The documented observations of these species are individuals flying over the general area, or, as in the case of the Red Knot, an unanticipated short-term stopover. Therefore, a **No Effect** determination has been made for the proposed Railroad Overpass activities for both the Whooping Crane and Red Knot.

Monarch butterflies migrate through Montana in the spring and fall as they move between central Mexico and Canada. While monarch butterflies may migrate through the area, suitable foraging and resting habitat is limited within the Railroad Overpass project footprint. According to MTNHP, the closest recorded observation of a monarch butterfly was over 30 miles southwest of the project limits in 2016. Due to limited suitable habitat and current construction disturbance associated with the Yellowstone River Segment, the monarch butterfly is not anticipated in the project area. Therefore, proposed Railroad Overpass activities would **not jeopardize the continued existence** of monarch butterfly.

- On September 22, 2015, USFWS determined that the protection for the Greater Sage-Grouse under the Endangered Species Act was no longer warranted and withdrew the species from the candidate species list. In Montana, the state has management authority over Sage Grouse as outlined under the 2015 Greater Sage-Grouse Stewardship Act and Montana Governor's Executive Orders 10-2014, 12-2015, and 21-2015. The Sage Grouse Habitat Conservation Program was created to facilitate implementation of the Executive Orders. State actions implemented by MDT in designated Greater Sage-Grouse habitat must comply with the conservation program.

The Railroad Overpass project segment is not within Greater Sage-Grouse designated core habitat, connectivity habitat, or general habitat. The nearest designated Sage Grouse habitat, which is general habitat, is approximately 1.75 miles northwest of the proposed segment. The Railroad Overpass project activities are consistent with the Montana Sage Grouse Conservation Strategy.

1.0 INTRODUCTION

Due to availability and type of funding, the Montana Department of Transportation (MDT) will implement Phase I of the Billings Bypass Project as six separate construction projects. The third potential project to be constructed as part of Phase I is the Railroad Overpass project. This segment of the Billings Bypass is located north/northeast of the community of Lockwood, within Yellowstone County, Montana. The project begins at the southern terminus of the Yellowstone River project segment and proceeds southeast and south approximately 1.2 miles, crossing over the Montana Rail Link (MRL) railroad tracks and Coulson Road with a newly constructed overpass bridge. The Railroad Overpass project is located within Sections 07, 17, and 18 of Township 1 North, Range 27 East (Figure 1).

This Biological Resources Report/Biological Assessment (BRR/BA) Addendum Report has been prepared as part of BRR/BA re-evaluation of the Railroad Overpass segment of the Billings Bypass project. This report provides general biological resources updates, aquatic resources and wetlands updates, state Species of Concern updates, and updated information on federally threatened and endangered species within the Railroad Overpass project vicinity since the August 2013 BRR/BA addendum and 2014 Billings Bypass Final Environmental Impact Statement (FEIS). The report also includes an updated assessment of potential impacts to these resources as a result of the proposed Railroad Overpass project.

For the purposes of this document, project limits refers to the limits of potential construction; whereas, project vicinity refers to a three-mile radius around the project limits in which specific biological resources are evaluated.

2.0 BRR/BA SECTION 1.1 – PROJECT DESCRIPTION UPDATES

The preferred alternative for the Railroad Overpass project segment outlined in the 2014 Billings Bypass FEIS and ROD includes constructing a new roadway alignment that begins at the southern terminus of the Yellowstone River project segment and extends southeast and south, crossing over the MRL railroad tracks, and ending just south of Coulson Road. The Phase I typical section would consist of two 12-foot travel lanes and 8-foot shoulders. Horizontal and vertical alignments and side slopes are proposed to meet criteria for a 55 mile-per-hour (mph) design speed. At full buildout (Phase II), the roadway would be widened to include an additional two, 12-foot travel lanes. These Railroad Overpass improvements are still valid and remain unchanged.

Design Refinement/Change 1: As outlined in the FEIS and ROD, the full-buildout preferred alternative for the MRL and Coulson Road crossing included side-by-side, two-lane bridges at one location. The current bridge design is to construct a single steel structure, with five spans and four lines of welded steel girders, that is approximately 730 feet in length. Constructing a single structure would reduce potential impacts to the railroad and result in a cost savings over time. The new bridge structure would include two 12-foot travel lanes, 8-foot shoulders, and 1-foot concrete barriers for a total width of 42-feet. The vertical clearance of the bridge over the MRL railroad tracks is proposed at 23.75 feet. The bridge steel structure would be designed to allow for future widening (bypass full buildout) to accommodate two additional 12-foot travel lanes.

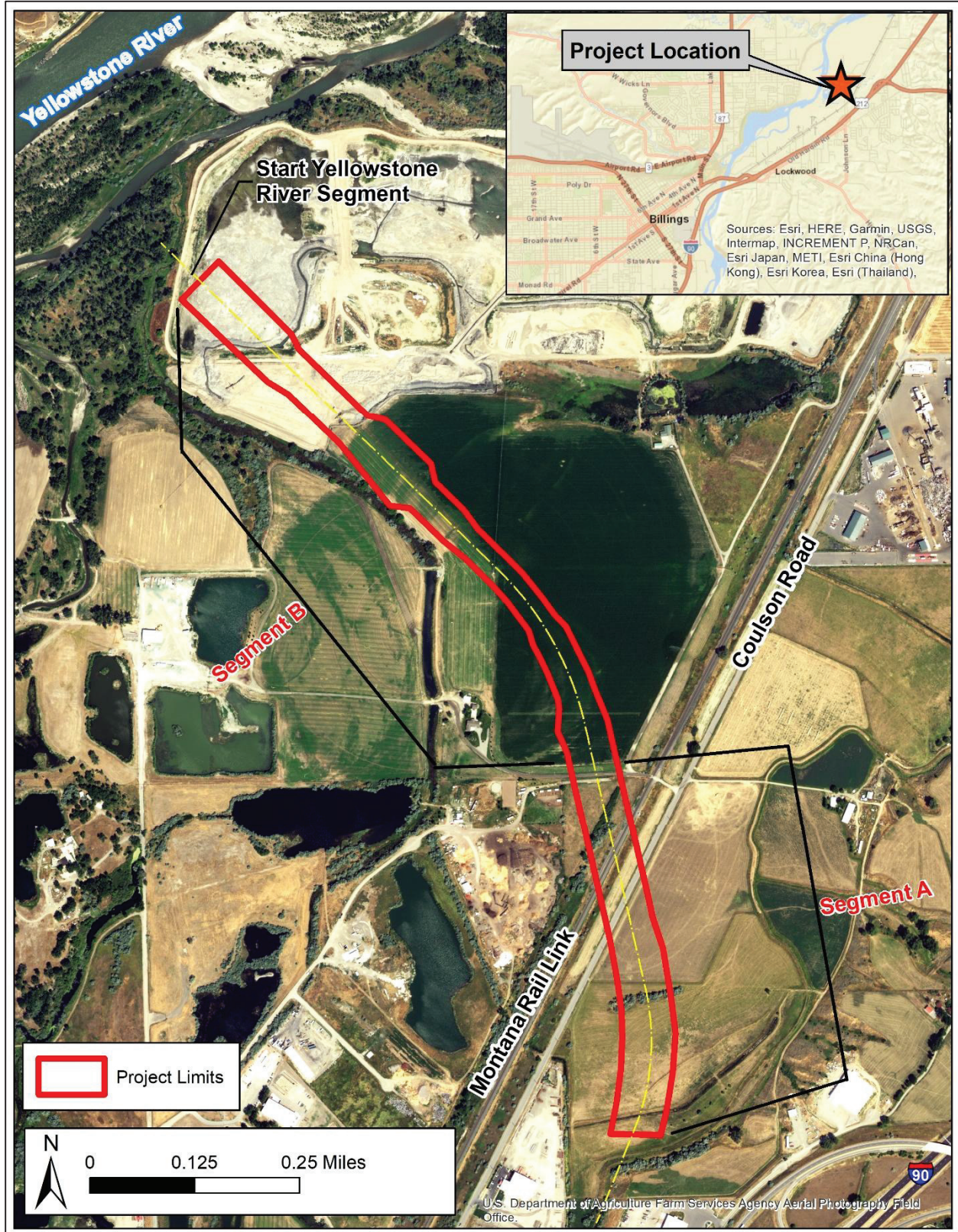


Figure 1. Project Limits and Vicinity

Design Refinement/Change 2: Because the Railroad Overpass segment ends just south of Coulson Road, and it may be several years before the subsequent segment is built, which connects the Railroad Overpass segment to the Johnson Interchange, a temporary connector from the new bypass to Coulson Road would be constructed to allow access/connectivity to Coulson Road in the interim. The temporary connection would be a two-lane, double tee connection that extends from the west side of the bypass alignment to Coulson Road. The temporary connector would be removed when the subsequent project segment is built. This design change was not outlined in the 2014 FEIS and ROD.

Change 3: The Railroad Overpass segment would be constructed as two separate sub-segments. Segment A (4199005) would include constructing the railroad overpass structure, the sections of roadway approach leading up to the new railroad bridge, and construction of the temporary connector from the new bypass to Coulson Road. Segment B (4199008) would include construction of the bypass roadway from the Yellowstone River Bridge segment to the railroad right-of-way. Segment B would be constructed first. Segment A would follow once MRL right-of-way and permits have been approved.

3.0 BRR/BA Section 3.0 – General Vegetation and Wildlife

The Railroad Overpass project limits, existing general vegetation and general wildlife conditions, avoidance and minimization measures, impacts, and recommended conservation measures described in the 2011 BRR/BA, subsequent 2012 and 2013 addenda, and the 2014 Billings Bypass FEIS are still valid and remain unchanged. The refined design for Railroad Overpass is not anticipated to greatly increase or reduce impacts to general vegetation and general wildlife and will not be addressed further in this addendum report.

4.0 BRR/BA SECTION 4.0 – AQUATIC RESOURCES

4.1 WATERWAYS

Methods

In 2011, a wetland delineation was completed as part of the developing Billings Bypass EIS. As it has been more than five years since the original wetland delineation was conducted and to ensure all wetlands and other waters were identified within the refined design alignment for the Railroad Overpass project, a new wetland delineation was conducted in May 2017. Prior to the field visit, the Railroad Overpass project limits were researched for the potential presence of aquatic resources. Various mapping resources were used, including the US Fish and Wildlife Service (USFWS) National Wetland Inventory (NWI) maps, US Geological Service (USGS) topographic quad maps, and aerial photographs. During the site visit, the project limits were investigated for waterways and other aquatic resources according to the US Army Corps of Engineers (USACE) Regulatory Guidance Letter No. 05-05: Ordinary High Water Mark Identification (USACE, 2005). Wetlands and waterways identified during the May 2017 field visit are shown in Appendix A.

Results

No waterways, lakes, ponds, or other non-wetland aquatic features were identified within the Railroad Overpass project limits. One, unnamed drainage was identified directly adjacent to the project limits. In the 2011 delineation, this drainage was delineated entirely as wetland. However, a review of the USFWS NWI database identified this drainage as Riverine, Lower Perennial, Unconsolidated Bottom, which is Semi-permanently Flooded (R2UBF). During the 2017 delineation effort, flowing surface water, approximately 4 to 5 feet deep, was noted in the channel with an emergent fringe wetland along both banks. This aquatic resource has been updated to include surface water within a channel that varies from 6 to 15 feet wide. The drainage appears to have been channelized in the immediate area and receives both irrigation flow and groundwater discharge. The drainage eventually flows into the Yellowstone River.

Potential Impacts, Avoidance, Minimization, and Recommended Conservation Measures

Current designs for the Railroad Overpass segment would have no permanent impact on the unnamed drainage, as the drainage parallels the project limits directly to the west and is just outside of the project's proposed construction and right-of-way limits.

MDT Standard Specifications for Road and Bridge Construction (2020) effectively address resources including water pollution controls as defined by state, local, and federal laws and regulations. These requirements limit vegetation disturbance within the staked boundaries of the project, thus minimizing effects on surrounding, more productive habitats, and reducing erosion during construction.

4.2 GENERAL AQUATIC SPECIES

There are no waterways within the Railroad Overpass project segment and no aquatic species are likely to occur. The closest waterway is an unnamed drainage directly west of the Railroad Overpass proposed project limits and will not be impacted. Therefore, the refined design for Railroad Overpass is not anticipated to impact aquatic species.

5.0 BRR/BA SECTION 5 – SPECIES OF CONCERN and SPECIAL STATUS SPECIES

Methods

A data request was submitted to MTNHP to determine if there were any changes to state Species of Concern or Special Status Species in or near the Railroad Overpass project vicinity since the 2011 BRR/BA, subsequent 2012 and 2013 addenda, and the 2014 Billings Bypass FEIS (MTNHP, 2020a). Additionally, Montana FWPs Bald and Golden Eagle information was requested from MTNHP. Appendix B provides all information received from the formal MTNHP request.

Results

Documented species occurrences of 14 wildlife state Species of Concern and one plant Species of Concern were recorded within 3.0 mile of the Railroad Overpass project limits (Appendix B, MTNHP, 2020a). Eleven of these species have been addressed in the 2011 BRR/BA and 2014 FEIS. Information on these species is still valid and remains unchanged; therefore, no additional discussion on these 11 species is included in this addendum. The four additional recorded Species of Concern not addressed in the 2011 BRR/BA or the 2014 FEIS, their conservation status, habitat requirements, and potential to occur in the project limits are outlined below in Table 1.

Table 1. Updates to State Species of Concern within the Railroad Overpass project vicinity

Species	Status*	Last Observed in Project Vicinity	Habitat Requirements	Potential to Occur in Project Limits
Birds				
Yellow-billed Cuckoo (<i>Coccyzus americanus</i>)	S3B, G5	2019	Preferred breeding habitat includes open woodland, parks, and deciduous riparian woodland.	Low potential to occur within the project limits. The corridor has been cleared for gravel pit and agricultural activities; however suitable habitat directly north of the project limits, along the Yellowstone River, is present.
Greater Sage-Grouse	S2, G3, G4	2019	Closely associated with sagebrush habitat types. Adapted to a broad mosaic throughout range, including relatively tall sagebrush, relatively low sagebrush, forb-rich mosaics with low and tall sagebrush, riparian meadows, steppe, scrub willow, and sagebrush savanna (with juniper, ponderosa pine, aspen).	Unlikely to occur in project limits due to lack of suitable habitat.
Mammals				
Little Brown Myotis (<i>Myotis lucifugus</i>)	S3, G3	2020	Found in a variety of habitats across a large elevation gradient. Commonly forages over water. Summer day roosts include attics, barns, bridges, snags, loose bark, and bat houses. Known maternity roosts in Montana are primarily buildings. Hibernacula include caves and mines.	Low potential to occur within the project limits. The corridor has been cleared for gravel pit and agricultural activities; however suitable habitat directly north of the project limits, along the Yellowstone River, is present.

Species	Status*	Last Observed in Project Vicinity	Habitat Requirements	Potential to Occur in Project Limits
Plants				
Bractless Hedge-hyssop (<i>Gratiola ebracteate</i>)	S2, G4	2018	Drying mud around ponds in the foothills and on the plains.	Unlikely to occur in project limits due to lack of suitable habitat.

Source: MTNHP, 2020 and Montana Field Guide (fieldguide.mt.gov)

*Key to rankings: G=Global rank based on range-wide status, S=State rank based on status in Montana, S1: At high risk because of extremely limited and/or rapidly declining population numbers, range and/or habitat, making it highly vulnerable to global extinction or extirpation in the state; S2: At risk because of very limited and/or potentially declining population numbers, range and/or habitat, making it vulnerable to global extinction or extirpation in the state; S3: Potentially at risk because of limited and/or declining numbers, range and/or habitat, even though it may be abundant in some areas; S4: Apparently secure, though it may be quite rare in parts of its range, and/or suspected to be declining; G4: Uncommon but not rare (although it may be in parts of its range), and usually widespread; G5: Common, widespread, and abundant (although it may be rare in parts of its range). Not vulnerable in most of its range.

Bald and Golden Eagles are dually-protected under the Bald and Golden Eagle Protection Act of 1940 and receive special state status. 2019 Montana FWP observation data on Bald Eagles shows several documented occurrences of Bald Eagle and Bald Eagle nests along the Yellowstone River Corridor; however, no Bald Eagle nests or occurrences have been documented within 0.25 mile of the project limits. MTNHP data shows a nesting Bald Eagle was documented in May 2016 a little over 0.25 mile northwest of the Railroad Overpass northern limits. FWP noted that this nest has since blown down.

MTNHP data shows one observation of a Golden Eagle 1.2 miles northeast of the project limits and two observation 1.5 and 2.0 miles southwest of the project limits. During the May 2017 field visit of the Railroad Overpass project limits, no Golden Eagles or nests were observed within or adjacent to the project limits.

A review of the Montana Sage Grouse Habitat Conservation Map (2020) shows the Railroad Overpass project limits are not within core, general, or connectivity habitat for Greater Sage-Grouse. The nearest designated Sage Grouse habitat, which is general habitat, is approximately 1.75 miles northwest of the Railroad Overpass project segment.

Potential Impacts, Avoidance, Minimization, and Recommended Conservation Measures

Impacts to 11 state Species of Concern, along with avoidance/minimization measures and recommended conservation measures, are described in the 2011 BRR/BA, subsequent 2012 and 2013 addenda, and the 2014 Billings Bypass FEIS, and still remain valid and unchanged.

Of the four additional Species of Concern, some may occur within the Railroad Overpass project limits, as suitable habitats for these species are present within the general vicinity of the project. The project limits would likely be primarily used for forage and migration.

Permanent vegetation impacts would occur within the proposed construction limits, with both upland and wetland habitat being impacted. For smaller species, direct mortality may occur due to disturbance of habitat and inability to disperse during construction. Permanent impacts to mature trees and shrubs may also affect avian habitat. In order to maintain compliance with USFWS and Migratory Bird Treaty Act guidance, disruption to nesting birds and disturbance of active nests will be avoided. Measures would be implemented to avoid the taking of migratory birds, their eggs, hatchlings, or fledglings during construction. This will include removing any suitable nesting habitats (i.e., trees and shrubs) existing within the construction limits, and that would be affected by construction, outside of the nesting season (August 16 to April 15). If an active nest, including before or after the local nesting window, is discovered, the nest will be left in place and protected until the young hatch and depart.

Temporary impacts to Species of Concern that may be present in the area include temporary loss of some habitat within the construction zone due to clearing for construction activities. Construction activities may also affect individuals through noise, vibration, human activity, construction equipment, and temporary disruption to foraging and migration.

MTNHP 2019 observation data on Bald Eagles shows several documented occurrences of Bald Eagle and Bald Eagle nests along the Yellowstone River Corridor; however, no Bald Eagle nests or occurrences have been documented within 0.25 mile of the project limits. Therefore, additional minimization measures and timing restrictions for the Railroad Overpass segment are currently not proposed. Should a new active nest be constructed and identified within 0.5 miles of the project limits, the MDT District Biologist would be contacted to coordinate with Montana FWP to determine if a timing restriction on construction activities is warranted.

6.0 BRR/BA SECTION 6 – THREATENED AND ENDANGERED SPECIES - BIOLOGICAL ASSESSMENT

Methods

The June 2020 USFWS Endangered, Threatened, Proposed, and Candidate Species list for Yellowstone County was reviewed to determine if there were any changes in federally listed species in or near the Railroad Overpass project vicinity since the 2011 BRR/BA, subsequent 2012 and 2013 addenda, and the 2014 Billings Bypass FEIS (USFWS, 2020). The MTNHP database for threatened or endangered species was also reviewed for occurrences within and adjacent to the project limits (MTNHP, 2020).

Results

Since the 2011 BRR/BA, subsequent addenda, and the 2014 FEIS, the Greater Sage-Grouse (*Centrocercus urophasianus*), black-footed ferret (*Mustela nigripes*), and Sprague's Pipit (*Anthus spragueii*) have been removed from the list of endangered, threatened, proposed, and candidate species for Yellowstone County. The USFWS determined that the protection for the Greater Sage-Grouse under the Endangered Species Act was no longer warranted and withdrew the species from the candidate

species list in September 2015. In April 2016, the USFWS determined that listing the Sprague's Pipit as an endangered or threatened species was not warranted throughout all or a significant portion of its range and removed the species from candidate status.

Currently, the USFWS list by county shows two federally listed species and one candidate species with the potential to occur in Yellowstone County, Montana (Appendix C). These include Whooping Crane (*Grus Americana*), Red Knot (*Calidris canutus*) and monarch butterfly (*Danaus plexippus*). Whooping Crane was addressed in the 2011 BRR/BA, subsequent addenda, and 2014 FEIS. Red Knot and monarch butterfly were not assessed in the 2011 BRR/BA, subsequent addenda, and 2014 FEIS, because Red Knot was not listed until January 12, 2015, and monarch butterfly recently received a candidate listing on December 15, 2020. The following information is provided in this BRR/BA Addendum Report to supplement the effects analysis.

Red Knot

Species Description

Red Knot is a medium-sized sandpiper that is about 9 to 10 inches (23 to 25 centimeters [cm]) in length (Baker et al. 2013). Red Knot has a distinctive breeding plumage that is salmon-red to brick-red color. It has a light-colored lower belly and under tail region. The back and tail feathers are generally dark gray with light edges and subterminal rust-colored spots (Baker et al. 2013).

Red Knots annually migrate between arctic tundra breeding grounds and marine wintering habitats as far south as Tierra del Fuego, an annual migration distance of up to 30,000 km (Baker et al. 2013), using stopover sites in the Northern Great Plains of the United States and Canada.

Migratory stopovers in Montana are rare but are most common at larger wetlands. The majority (60 percent) of the documented migratory stopovers in Montana have been at Freezeout Lake, Benton Lake National Wildlife Refuge, and Lake Bowdoin National Wildlife Refuge (FWP, 2020).

Reason for Decline and Federal Status

Red Knot was listed as Threatened on January 12, 2015, due to loss of breeding and nonbreeding habitat, disruption of natural predator cycles on breeding grounds, reduced prey availability throughout the nonbreeding range, and increasing frequency and severity of mismatches in the timing of the birds' annual migratory cycle relative to favorable food and weather conditions (Federal Register 79(238):73706-73748).

Occurrence in Project Limits

The last known observation of a Red Knot in the vicinity of the Railroad Overpass project limits was in 1975. The observation was of a transient individual.

Monarch Butterfly

Species Description

Adult monarch butterflies are large butterflies with orange wings. The wings have black borders and black veins, as well as white speckling. Larvae emerge from their eggs on obligate milkweed host plants after two to five days. The larvae transition through five larval instars over the course of 9 to 18 days. Lastly, they pupate into a chrysalis before emerging 6 to 14 days later as an adult Monarch Butterfly (USFWS, 2022a).

Monarchs prefer open places, native prairie, foothills, open valley bottoms, roadsides, open weedy fields, pastures, and marshes. During migration, monarchs need nighttime roosting sites. In the western population, roosting generally occurs in both native and nonnative deciduous and evergreen trees. Monarchs have been observed using narrow-leaved tree species such as willows, Russian olives, locusts, pines, and eucalyptus as roosting sites (USFWS, 2022b). Monarch butterflies living east of the Rocky Mountains migrate from Canada to central Mexico where they overwinter. Monarchs typically do not arrive in Montana until June or July and migrate south between September and October (FWP, 2021).

Reason for Decline and Federal Status

The monarch butterfly was designated as a Candidate Species on December 15, 2020, due to long-term declines in overwintering populations, largely due to loss and degradation of habitat, exposure to insecticides, and climate change (Federal Register 85(243):81813-81822).

Occurrence in Project Limits

Monarch butterflies migrate through Montana in the spring and fall as they move between central Mexico and Canada. While monarch butterflies may migrate through the area, suitable foraging and resting habitat is limited within the Railroad Overpass project footprint, as most of the area consists primarily of cultivated agricultural lands that are continually mowed, a large gravel pit, and a disturbed construction access road used to construct the Yellowstone River Segment of the Billings Bypass. According to MTNHP, the closest recorded observation of a monarch butterfly was over 30 miles southwest of the project limits in 2016.

Potential Impacts, Avoidance, Minimization, and Recommended Conservation Measures

There are no records of Red Knot or Whooping Crane breeding in the state, although they are known to migrate through Montana on occasion in the spring and fall as they head to breeding territories in northern Canada and the Arctic, respectively. There are three observations for Whooping Crane within a 30-mile radius of the proposed Railroad Overpass project over the last 100 years. The nearest observation was documented more than 10 miles to the northeast as a fly-over in April 2010.

One observation of Red Knot is documented less than 1.0 mile from the proposed Railroad Overpass project limits. This individual was a transient (non-breeding and short-

term) documented in 1975, and not seen since. Neither of these species would be anticipated in the project vicinity as limited-to-no-appropriate habitat is present and neither species is documented as spending any considerable time in the state. The documented observations of these species are individuals flying over the general area, or, as in the case of the Red Knot, an unanticipated short-term stopover. Therefore, a **No Effect** determination has been made for the proposed Billings Bypass Railroad Overpass project activities for both the Whooping Crane and Red Knot.

Additionally, the monarch butterfly is not anticipated in the Railroad Overpass project segment due to limited suitable habitat and current construction disturbance associated with the Yellowstone River Segment. Therefore, the Railroad Overpass project would **not jeopardize the continued existence** of monarch butterfly.

7.0 WETLANDS

Methods

In 2011, a wetland delineation was completed as part of the developing Billings Bypass EIS. As more than five years has passed since the original wetland delineation was conducted and to ensure all wetlands and other waters were identified within the refined design alignment for the Railroad Overpass project, new wetland delineations were conducted in May 2017. Prior to the field visit, the Railroad Overpass project limits were researched for the potential presence of wetlands. Various mapping resources were used, including USFWS NWI maps, USGS topographic quad maps, aerial photographs, and Natural Resource Conservation Service (NRCS) soils maps. The 2011 Billings Bypass wetland delineation information was also reviewed.

During the site visit, wetland delineations were conducted following the Routine Method described in the USACE wetland delineation manual (USACE, 1987), and the Regional Supplement to the Corps of Engineers Wetland Delineation Manual: Great Plains Region (Version 2.0) (USACE, 2010). To capture all wetlands that could be potentially impacted by the project, a 60-foot survey buffer off of the proposed Railroad Overpass project right-of-way line was used. Wetlands and waterways identified during the May 2017 field visit are shown in Appendix A.

Results

The 2011 wetland delineation effort identified two wetlands within the Railroad Overpass project limits, Wetlands R and D9, and one wetland directly adjacent to the project limits, Wetland D8. During the May 2017 wetland delineation, the 2011 wetland boundaries for these wetlands, within the project limits and 60-foot buffer area, were updated to current conditions. This included re-delineating the wetland boundaries for Wetlands R and D8 with a map-grade GPS unit. Wetland D9 could not be located during the 2017 delineation effort. The wetland was located in a large agricultural field and appeared to have been buried/plowed over through farming activities.

To meet current naming conventions, Wetland R was relabeled as Wetland RR-WL1 and Wetland D8 was relabeled to Wetland RR-WL2. No additional wetlands were identified within the Railroad Overpass project limits during the 2017 delineation effort. Table 2

provides the 2017 updated information for all wetlands identified within the project limits and the 60-foot buffer area.

Table 2. 2017 Railroad Overpass Segment Delineated Wetlands

Wetland	2017 Acreage	Wetland Cowardin Classification	MDT Functional Rating	Likely Jurisdictional	Wetland Description/Jurisdictional Justification
RR-WL1	0.117	PEM	IV	Yes	Wetland within an irrigation ditch/drain. Flows eventually end up in Yellowstone River.
RR-WL2	1.58	PEM	III	Yes	Fringe wetland along an unnamed drainage that collects irrigation drain water and groundwater. Flows into the Yellowstone River.

Potential Impacts, Avoidance, Minimization, and Recommended Conservation Measures

Under the scope of work for the Railroad Overpass segment outlined in the 2011 BRR/BA, subsequent addenda, and 2014 FEIS, approximately 0.23 acre of wetland impact was determined. Wetland impacts as a result of the refined Railroad Overpass design and updated 2017 wetland delineation are approximately 0.05 acre. This includes impacts to only wetland RR-WL1. The decrease in wetland impacts results from changes in wetland boundaries and wetlands no longer existing (due to agricultural practices) during the 2017 field delineation.

Impacted wetlands considered jurisdictional by the USACE would require permitting under Section 404 of the CWA. A permit application would be submitted to the USACE when final construction limits are finalized through design. The USACE has the authority to determine appropriate mitigation for jurisdictional wetlands that are impacted by fill placement or ground disturbance. Off-site wetland mitigation is recommended to accommodate the mitigation acreage that may be required to offset wetland impact acreage. Consultation with the USACE will be necessary to determine acceptable mitigation sites. Unavoidable wetland impacts may be mitigated at an established MDT Wetland Reserve or through an established in-lieu fee program. Final mitigation requirements to satisfy unavoidable impacts to wetlands require USACE approval prior to project construction and would occur during the project permitting phase. In addition, mitigation for wetland impacts would be required for federally funded highway projects under 23 CFR Part 777.

8.0 REFERENCES

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APPENDIX A

2017 RAILROAD OVERPASS WETLAND DELINEATION FIGURES



Legend

- Data Plot
- ▨ Delineated Wetlands
- ▭ Wetland Survey Limits
- Construction Easements
- New ROW Line
- Construction Limits
- Stationing
- - - Alignment Center Line
- Bridge
- Shoulder Delineation
- Flow Arrow

**Billings Bypass
Railroad Overpass
Wetland and Other Aquatic
Resources Delineation**

Sheet 1

U.S. Department of Agriculture Farm Service Agency Aerial Photography Field Office

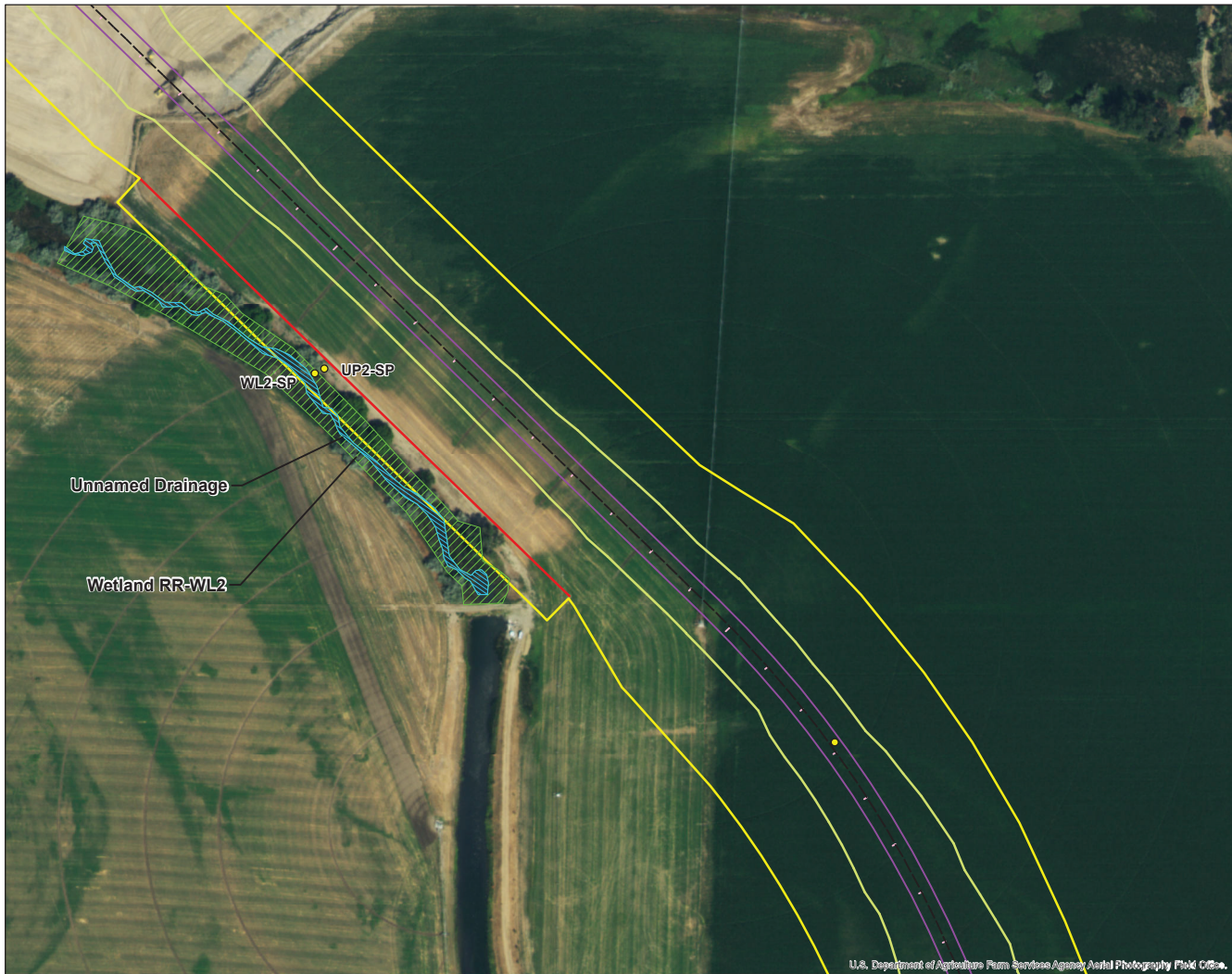


- Legend**
- Wetland Survey Limits
 - Construction Easements
 - New ROW Line
 - Construction Limits
 - Stationing
 - Alignment Center Line
 - Bridge
 - Shoulder Delineation
 - Flow Arrow



**Billings Bypass
Railroad Overpass
Wetland and Other Aquatic
Resources Delineation**

U.S. Department of Agriculture Farm Service Agency Aerial Photography Field Office



Legend

- Data Plot
- Waterway
- Delineated Wetlands
- Wetland Survey Limits
- Construction Easements
- Construction Limits
- Stationing
- Alignment Center Line
- Shoulder Delineation
- Flow Arrow

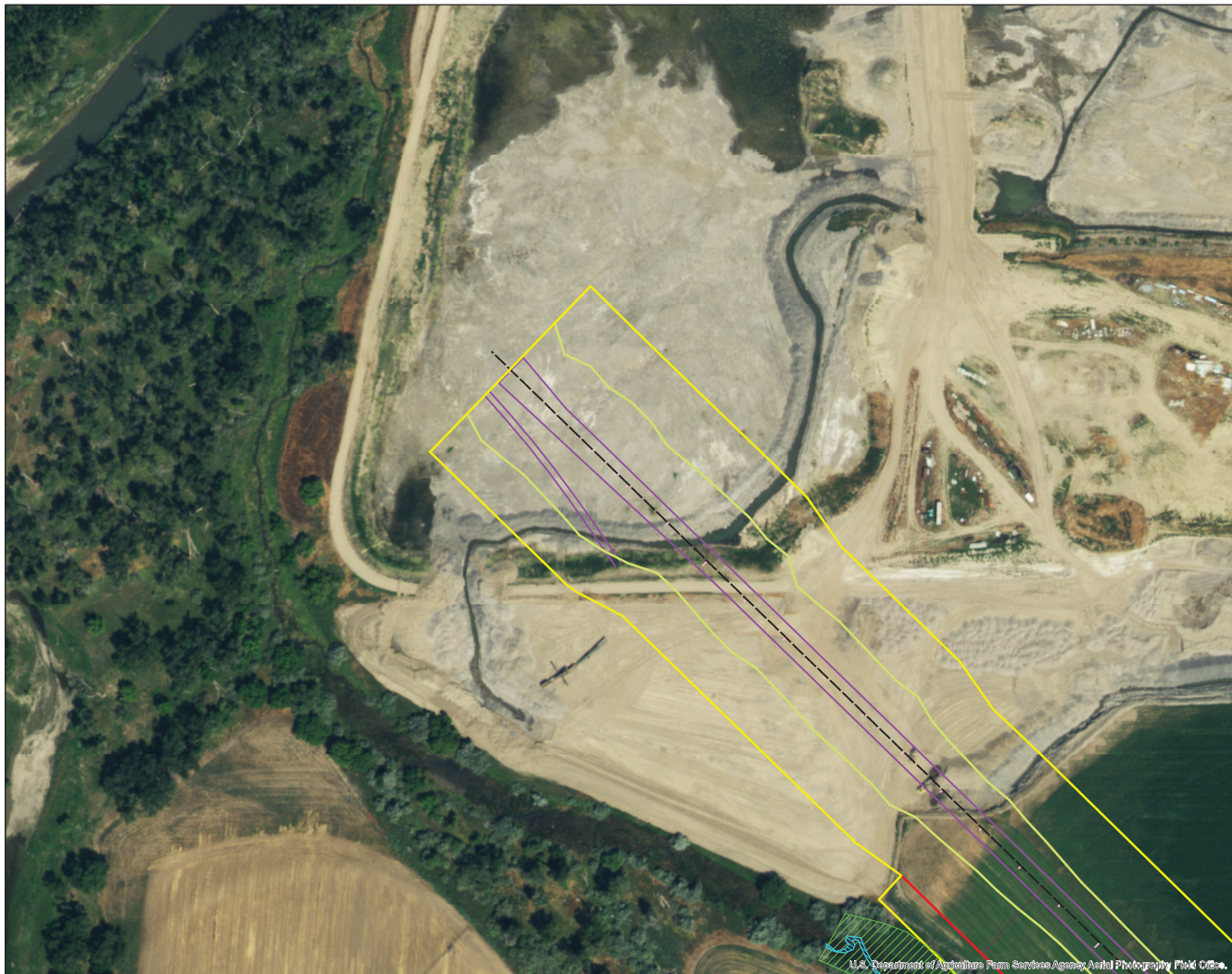
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


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**Billings Bypass
Railroad Overpass
Wetland and Other Aquatic
Resources Delineation**

Sheet 3

U.S. Department of Agriculture Farm Services Agency Aerial Photography Field Office



- Legend**
-  Waterway
 -  Delineated Wetlands
 -  Wetland Survey Limits
 -  Construction Easements
 -  Construction Limits
 -  Stationing
 -  Alignment Center Line
 -  Shoulder Delineation
 -  Flow Arrow

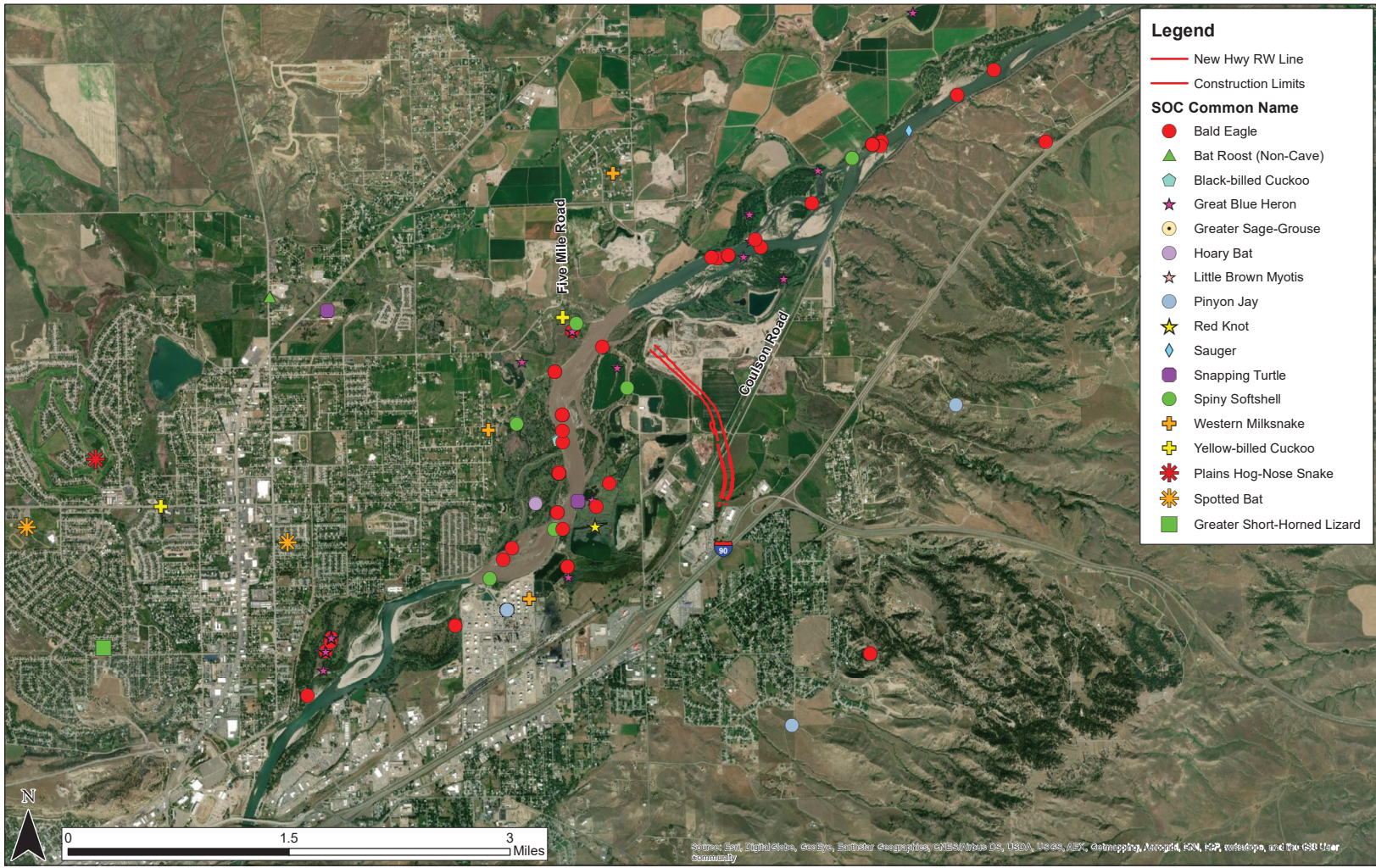


**Billings Bypass
 Railroad Overpass
 Wetland and Other Aquatic
 Resources Delineation**

U.S. Department of Agriculture Farm Service Agency Aerial Photography Field Office

APPENDIX B

MONTANA SPECIES OF CONCERN IN PROJECT VICINITY



Legend

- New Hwy RW Line
- Construction Limits

SOC Common Name

- Bald Eagle
- ▲ Bat Roost (Non-Cave)
- ⬠ Black-billed Cuckoo
- ★ Great Blue Heron
- Greater Sage-Grouse
- Hoary Bat
- ★ Little Brown Myotis
- Pinyon Jay
- ★ Red Knot
- ◆ Sauger
- Snapping Turtle
- Spiny Softshell
- ✚ Western Milksnake
- ✚ Yellow-billed Cuckoo
- ★ Plains Hog-Nose Snake
- ★ Spotted Bat
- Greater Short-Horned Lizard

MTNHP Recorded Species of Concern (2020) - Railroad Overpass Segment

Source: Esri, DigitalGlobe, GeoEye, Earthstar Geographics, CNES/Airbus DS, USDA, AeroGRID, IGN, EPI, WorldView, and the GIS User Community



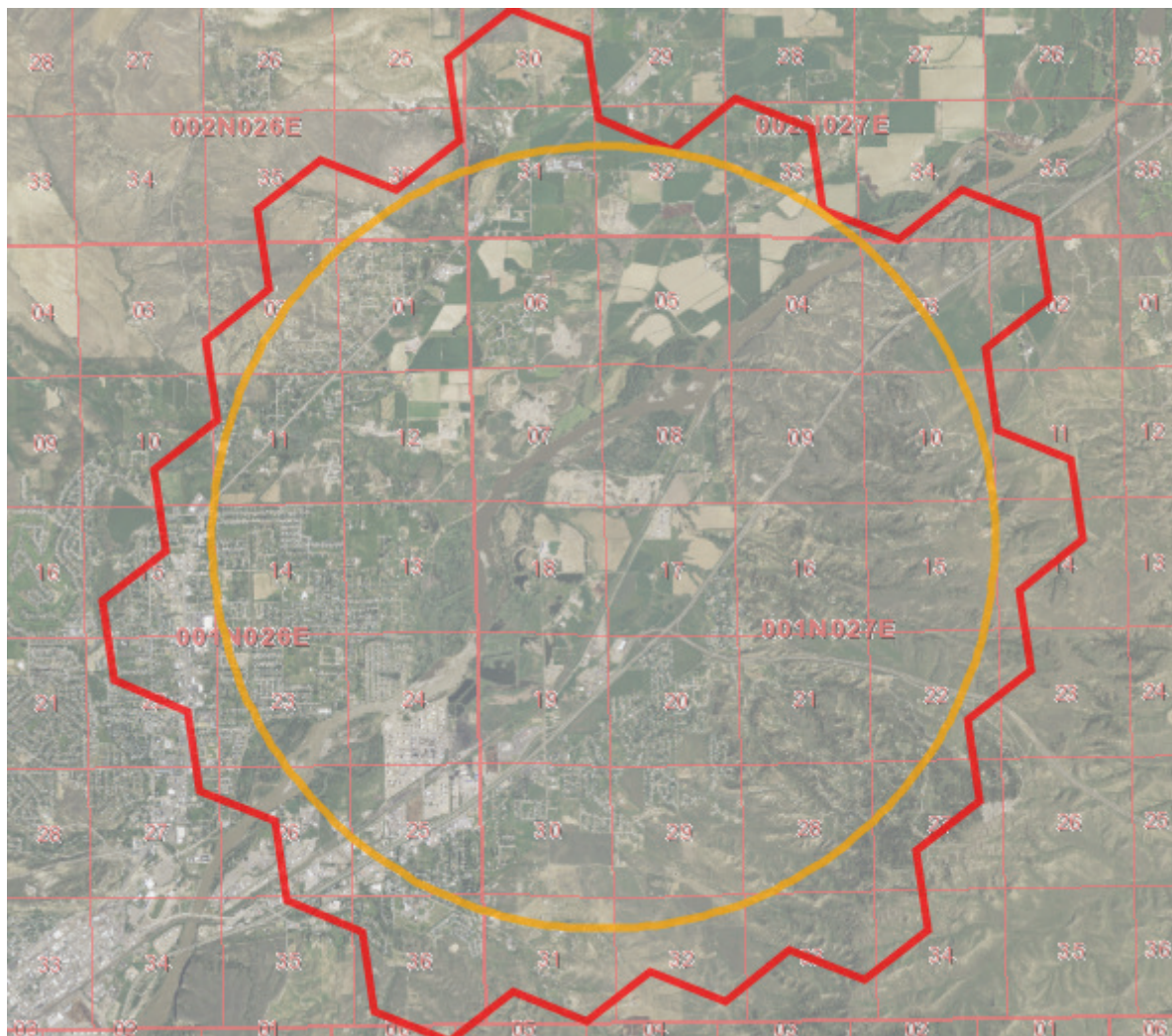
MONTANA
**Natural Heritage
Program**

1515 East 6th Avenue
Helena, MT 59620
(406) 444-5363
mtnhp.org



Latitude	Longitude
45.78271	-108.32698
45.89576	-108.48516

Summarized by:
21mdt0004 Billings Bypass
(Custom Area of Interest)



Suggested Citation

Montana Natural Heritage Program. Environmental Summary Report.
for Latitude 45.78271 to 45.89576 and Longitude -108.32698 to -108.48516. Retrieved on 9/14/2020.

The Montana Natural Heritage Program is a program of the Montana State Library's Natural Resource Information System. It is operated as a special program under the Office of the Vice President for Research and Creative Scholarship at the University of Montana, Missoula.

The Montana Natural Heritage Program is part of NatureServe – a network of over 80 similar programs in states, provinces and nations throughout the Western Hemisphere, working to provide comprehensive status and distribution information for species and ecosystems.



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- [- Other Observed](#)
- [- Other Potential Species](#)
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- [Introduction to Invasive and Pest Species](#)
- [Additional Information Resources](#)

Introduction to Environmental Summary Report

The Environmental Summary report for your area of interest consists of introductory and related materials in this PDF and an Excel workbook with worksheets summarizing information managed in the Montana Natural Heritage Program's (MTNHP) databases for: (1) species occurrences; (2) other observed species without Species Occurrences; (3) other species potentially present based on their range, presence of associated habitats, or predictive distribution model output if available; (4) structured surveys (organized efforts following a protocol capable of detecting one or more species); (5) land cover mapped as ecological systems; (6) wetland and riparian mapping; (7) land management categories; and (8) biological reports associated with plant and animal observations. In order to do this in a consistent manner across Montana and allow for rapid delivery of summaries, we have intersected this information with a uniform grid of hexagons that have been used for planning efforts across the western United States (e.g. Western Association of Fish and Wildlife Agencies - [Crucial Habitat Assessment Tool](#)). Each hexagon is one square mile in area and approximately one kilometer in length on each side. Summary information for each data layer is then stored with each hexagon and those summaries are added up to an overall summary for the report area you have requested. Users should be aware that summaries do not correspond to the exact boundaries of the polygon they have specified, but instead are a summary across all hexagons intersected by the polygon they specified.

In presenting this information, MTNHP is working towards assisting the user with rapidly assessing the known or potential species and biological communities, land management categories, and biological reports associated with the report area. We remind users that this information is likely incomplete and may be inaccurate as surveys to document species are lacking in many areas of the state, species' range polygons often include regions of unsuitable habitat, methods of predicting the presence of species or communities are constantly improving, and information is constantly being added and updated in our databases. **Field verification by professional biologists of the absence or presence of species and biological communities in a report area will always be an important obligation of users of our data. Users are encouraged to only use this environmental summary report as a starting point for more in depth analyses and are encouraged to contact state, federal, and tribal resource management agencies for additional data or management guidelines relevant to your efforts. Please see the Appendix for introductory materials to each section of the report, additional information resources, and a list of relevant agency contacts.**



MONTANA Natural Heritage Program

Apogram of the Montana State Library's Natural Resource Information System operated by the University of Montana.

Legend

Model Icons

- Suitable (native range)
- Optimal Suitability
- Moderate Suitability
- Low Suitability
- Suitable (introduced range)

Habitat Icons

- Common
- Occasional

Range Icons

- Introduced
- Year-round
- Summer
- Winter
- Migratory
- Historic

Num Obs

Count of obs with 'good precision' (<=1000m)
+ indicates additional 'poor precision' obs (1001m-10,000m)



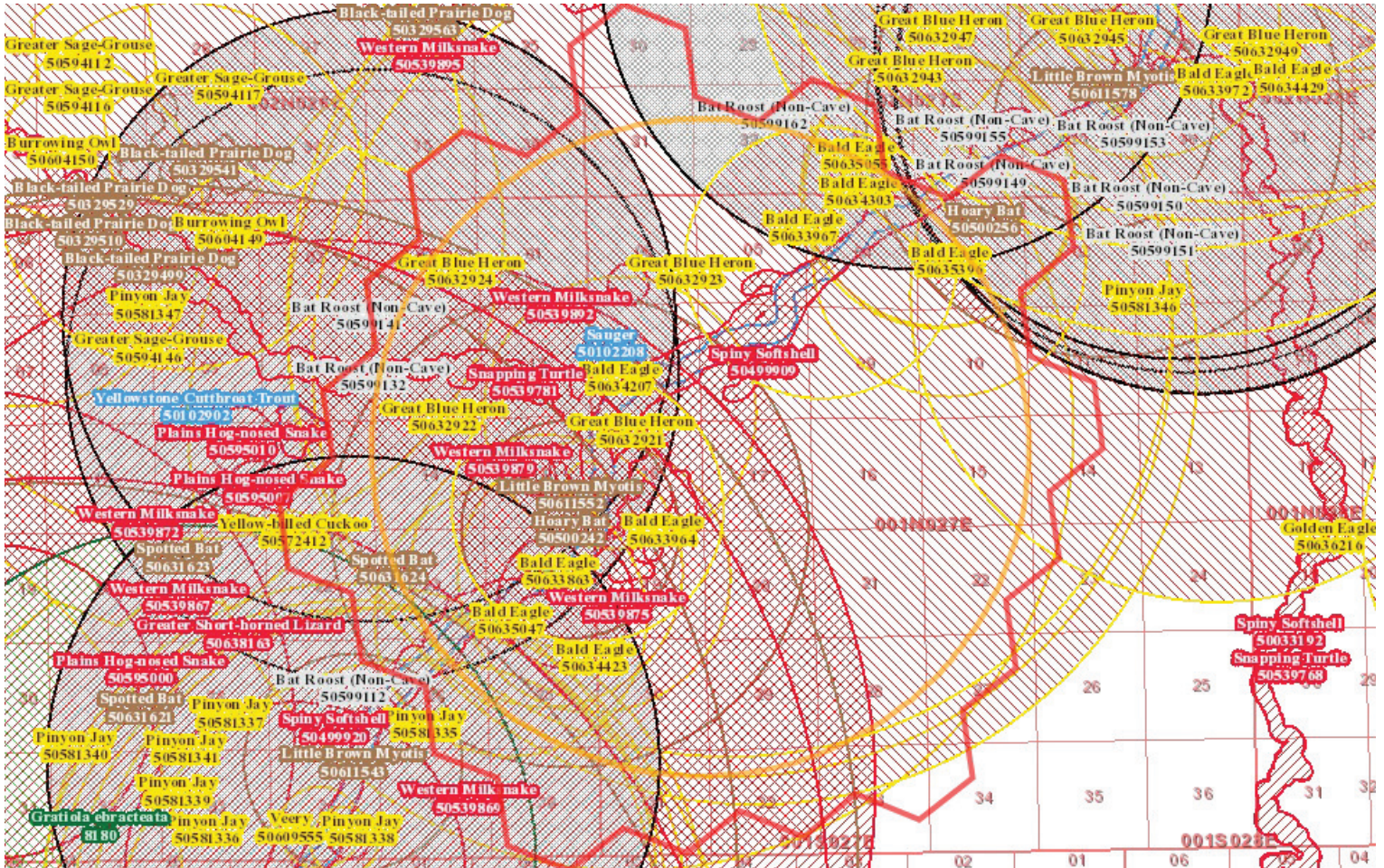
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Native Species

Summarized by: 21mdt0004 Billings Bypass (Custom Area of Interest)

Filtered by:

MT_Status='Species of Concern', 'Special Status', 'Important Animal Habitat', 'Potential SOC'



Species Occurrences

Species	USFWS	# SO	# Obs	Predictive Model	Associated Habitat	Range
<input checked="" type="checkbox"/> R - Snapping Turtle (<i>Chelydra serpentina</i>) SOC	Sec7	1	2			
View in Field Guide View Predicted Models View Associated Habitat View Range Maps Species of Concern - Native Species Global: G5 State: S3 BLM: SENSITIVE FWP SWAP: SGCN3, SGIN Delineation Criteria Stream reaches and standing water bodies within the species native range where their presence has been confirmed through direct capture or observation or where they are believed to be present based on the professional judgement of a biologist due to confirmed presence in adjacent areas. Occupied stream reaches are buffered up and downstream and into adjoining streams by 6,000 meters to encompass maximum reported annual travel distance. In order to reflect the importance of adjacent terrestrial habitats to survival, stream reaches and standing water bodies are buffered 100 meters into the terrestrial habitat based on PACFISH/INFISH Riparian Conservation Area standards. (Last Updated: Sep 26, 2019) Predictive Models: 38% Suitable (native range) (deductive) Associated Habitats: 11% Common, 1% Occasional						
<input checked="" type="checkbox"/> R - Spiny Softshell (<i>Apalone spinifer</i>) SOC		1	7			
View in Field Guide View Predicted Models View Associated Habitat View Range Maps Species of Concern - Native Species Global: G5 State: S3 BLM: SENSITIVE FWP SWAP: SGCN3 Delineation Criteria Stream reaches and impounded streams within the species' native range where the species naturally occurs and their presence has been confirmed through direct capture or where they are believed to be present based on the professional judgement of a biologist due to confirmed presence in adjacent areas. In order to reflect the importance of adjacent terrestrial habitats to survival, stream reaches are buffered 100 meters and impounded streams 50 meters into the terrestrial habitat based on PACFISH/INFISH Riparian Conservation Area standards. (Last Updated: Sep 26, 2019) Predictive Models: 31% Suitable (native range) (deductive) Associated Habitats: 10% Common, 3% Occasional						
<input checked="" type="checkbox"/> F - Sauger (<i>Sander canadensis</i>) SOC		1	2+		Not Assigned	

View in Field Guide View Predicted Models View Range Maps Species of Concern - Native Species Global: G5 State: S2 BLM: SENSITIVE FWP SWAP: SGCN2 Delineation Criteria Stream reaches and standing water bodies where the species presence has been confirmed through direct capture or where they are believed to be present based on the professional judgement of a fisheries biologist due to confirmed presence in adjacent areas. In order to reflect the importance of adjacent terrestrial habitats to survival, stream reaches are buffered 100 meters, standing water bodies greater than 1 acre are buffered 50 meters, and standing water bodies less than 1 acre are buffered 30 meters into the terrestrial habitat based on PACFISH/INFISH Riparian Conservation Area standards. (Last Updated: Jul 07, 2017) Predictive Models: 26% Suitable (native range) (deductive)		4	3 +					
View in Field Guide View Predicted Models View Associated Habitat View Range Maps Species of Concern - Native Species Global: G5 State: S2 USFS: Sensitive - Known on Forests (CG) BLM: SENSITIVE FWP SWAP: SGCN2 Delineation Criteria Confirmed breeding area based on the presence of a resident animal of any age. Point observation location is buffered by a minimum distance of 300 meters in order to encompass the maximum summer home range size reported for the species and otherwise is buffered by the locational uncertainty associated with the observation up to a maximum distance of 10,000 meters. (Last Updated: Jul 03, 2019) Predictive Models: 38% Optimal (inductive), 62% Moderate (inductive) Associated Habitats: 48% Common, 15% Occasional								
View in Field Guide View Predicted Models View Associated Habitat View Range Maps Species of Concern - Native Species Global: G5 State: S3B USFWS: PS: LT; MBTA; BCC10 USFS: Threatened on Forests (BRT, LOLO) BLM: THREATENED FWP SWAP: SGCN3, SGIN PIF: 2 Delineation Criteria Observations with evidence of breeding activity buffered by a minimum distance of 300 meters in order to encompass the maximum foraging area size reported for the species and otherwise is buffered by the locational uncertainty associated with the observation up to a maximum distance of 10,000 meters. (Last Updated: Sep 05, 2019) Predictive Models: 13% Optimal (inductive), 33% Moderate (inductive), 44% Low (inductive) Associated Habitats: 8% Common, 7% Occasional		1	2 +					
View in Field Guide View Predicted Models View Associated Habitat View Range Maps Special Status Species - Native Species Global: G5 State: S4 USFWS: DM; BGEPA; MBTA; BCC10; BCC11; BCC17 USFS: Sensitive - Known on Forests (BD, BRT, CG, HLC, KOOT, LOLO) BLM: SENSITIVE PIF: 2 Delineation Criteria Confirmed nesting area buffered by a minimum distance of 2,000 meters in order to be conservative about encompassing the breeding territory and area commonly used for re-nesting and otherwise buffered by the locational uncertainty associated with the observation up to a maximum distance of 10,000 meters. (Last Updated: Mar 30, 2020) Predictive Models: 10% Optimal (inductive), 21% Moderate (inductive), 31% Low (inductive) Associated Habitats: 11% Common, 19% Occasional		9	56 +					
View in Field Guide View Predicted Models View Associated Habitat View Range Maps Species of Concern - Native Species Global: G4 State: S3 USFS: Sensitive - Known on Forests (BD, CG) BLM: SENSITIVE FWP SWAP: SGCN3, SGIN Delineation Criteria Confirmed area of occupancy based on the documented presence (mistnet captures, definitively identified acoustic recordings, and definitively identified roosting individuals) of adults or juveniles. Point observation location is buffered by a distance of 10,000 meters in order to encompass the reported maximum foraging distance for the species in British Columbia. If the locational uncertainty associated with the observation is greater than 10,000 meters, the observation is not valid for creation of a species occurrence. (Last Updated: Mar 24, 2020) Predictive Models: 8% Optimal (inductive), 62% Moderate (inductive), 30% Low (inductive) Associated Habitats: 51% Common, 19% Occasional		3						
View in Field Guide View Predicted Models View Associated Habitat View Range Maps Species of Concern - Native Species Global: G3 State: S3 USFWS: MBTA; BCC17 FWP SWAP: SGCN3 Delineation Criteria Observations with evidence of breeding activity buffered by a minimum distance of 4,500 meters in order to be conservative about encompassing the home ranges reported for flocks and otherwise buffered by the locational uncertainty associated with the observation up to a maximum distance of 10,000 meters. (Last Updated: Sep 25, 2019) Predictive Models: 5% Optimal (inductive), 82% Moderate (inductive), 13% Low (inductive) Associated Habitats: 8% Common, 15% Occasional		8	1 +					
View in Field Guide View Predicted Models View Associated Habitat View Range Maps Species of Concern - Native Species Global: G5 State: S3B USFWS: MBTA; BCC11; BCC17 BLM: SENSITIVE FWP SWAP: SGCN3, SGIN PIF: 2 Delineation Criteria Observations with evidence of breeding activity buffered by a minimum distance of 300 meters in order to be conservative about encompassing home ranges and otherwise buffered by the locational uncertainty associated with the observation up to a maximum distance of 10,000 meters. (Last Updated: Dec 09, 2015) Predictive Models: 5% Optimal (inductive), 44% Moderate (inductive), 41% Low (inductive) Associated Habitats: 15% Common		1	1					
View in Field Guide View Predicted Models View Associated Habitat View Range Maps Species of Concern - Native Species Global: G5 State: S3 USFWS: MBTA FWP SWAP: SGCN3 Delineation Criteria Confirmed nesting area buffered by a minimum distance of 6,500 meters in order to be conservative about encompassing the areas commonly used for foraging near the breeding colony and otherwise buffered by the locational uncertainty associated with the observation up to a maximum distance of 10,000 meters. (Last Updated: Mar 24, 2020) Predictive Models: 5% Optimal (inductive), 36% Moderate (inductive), 44% Low (inductive) Associated Habitats: 8% Common		7	37 +					
View in Field Guide View Predicted Models View Associated Habitat View Range Maps Species of Concern - Native Species Global: G5 State: S3 USFWS: MBTA FWP SWAP: SGCN3 Delineation Criteria Confirmed nesting area buffered by a minimum distance of 6,500 meters in order to be conservative about encompassing the areas commonly used for foraging near the breeding colony and otherwise buffered by the locational uncertainty associated with the observation up to a maximum distance of 10,000 meters. (Last Updated: Mar 24, 2020) Predictive Models: 5% Optimal (inductive), 36% Moderate (inductive), 44% Low (inductive) Associated Habitats: 8% Common		2						

View in Field Guide View Predicted Models View Associated Habitat View Range Maps	
Species of Concern - Native Species Global: G5 State: S2 USFS: Sensitive - Known on Forests (CG) BLM: SENSITIVE FWP SWAP: SGCN2, SGIN	
Delineation Criteria Confirmed breeding area based on the presence of a resident animal of any age. Point observation location is buffered by a minimum distance of 500 meters in order to encompass the maximum summer home range size reported for the congeneric Eastern Hog-nosed Snake and otherwise is buffered by the locational uncertainty associated with the observation up to a maximum distance of 10,000 meters. (Last Updated: Sep 26, 2019)	
Predictive Models: 54% Moderate (inductive), 46% Low (inductive) Associated Habitats: 48% Common, 2% Occasional	
M - Little Brown Myotis (<i>Myotis lucifugus</i>) SOC 3 1	
View in Field Guide View Predicted Models View Associated Habitat View Range Maps	
Species of Concern - Native Species Global: G3 State: S3 FWP SWAP: SGCN3	
Delineation Criteria Confirmed area of occupancy based on the documented presence (mistnet captures, definitively identified acoustic recordings, or definitively identified roosting individuals) of adults or juveniles. Point observation location is buffered by a distance of 1,600 meters in order to encompass the greater than 1,500 meters foraging distance reported for the species in New Brunswick, Canada and otherwise buffered by the locational uncertainty associated with the observation up to a maximum distance of 10,000 meters. When cave locations are involved, point observations are mapped in the center of a one-square mile hexagon to protect the exact location of the cave entrance as per the Federal Cave Resource Protection Act and associated regulations (U.S. Code Title 16 Chapter 63, Code of Federal Regulations Title 43 Subtitle A Part 37). The outer edges of the hexagon are then buffered by a distance of 1,600 meters and otherwise by the locational uncertainty associated with the observation up to a maximum distance of 10,000 meters. All of the one-square mile hexagons intersecting this buffered area are presented as the Species Occurrence record. (Last Updated: Jan 03, 2020)	
Predictive Models: 44% Moderate (inductive), 56% Low (inductive) Associated Habitats: 66% Common, 34% Occasional	
M - Hoary Bat (<i>Lasiurus cinereus</i>) SOC 2 1	
View in Field Guide View Predicted Models View Associated Habitat View Range Maps	
Species of Concern - Native Species Global: G3G4 State: S3 BLM: SENSITIVE FWP SWAP: SGCN3	
Delineation Criteria Confirmed area of occupancy based on the documented presence (mistnet captures, definitively identified acoustic recordings, and definitively identified roosting individuals) of adults or juveniles during the active season. Point observation location is buffered by a minimum distance of 3,500 meters in order to be conservative about encompassing the maximum reported foraging distance for the congeneric <i>Lasiurus borealis</i> and otherwise buffered by the locational uncertainty associated with the observation up to a maximum distance of 10,000 meters. (Last Updated: May 14, 2019)	
Predictive Models: 41% Moderate (inductive), 59% Low (inductive) Associated Habitats: 53% Common, 39% Occasional	
R - Greater Short-horned Lizard (<i>Phrynosoma hernandesi</i>) SOC 1 +	
View in Field Guide View Predicted Models View Associated Habitat View Range Maps	
USFS: Sensitive - Known on Forests (CG) Species of Concern - Native Species Global: G5 State: S3 Sensitive - Suspected on Forests (HLC) BLM: SENSITIVE FWP SWAP: SGCN3, SGIN	
Delineation Criteria Confirmed breeding area based on the presence of a resident animal of any age. Point observation location is buffered by a minimum distance of 300 meters in order to encompass habitats supporting other individuals and documented distances moved between summer and winter habitats. Otherwise the point observation is buffered by the locational uncertainty associated with the observation up to a maximum distance of 10,000 meters. (Last Updated: Apr 01, 2020)	
Predictive Models: 33% Moderate (inductive), 62% Low (inductive) Associated Habitats: 41% Common	
B - Greater Sage-Grouse (<i>Centrocercus urophasianus</i>) SOC 2 +	
View in Field Guide View Predicted Models View Associated Habitat View Range Maps	
USFS: Sensitive - Known on Forests (BD) Species of Concern - Native Species Global: G3G4 State: S2 Sensitive - Suspected on Forests (CG, HLC) BLM: SENSITIVE FWP SWAP: SGCN2 PIF: 1	
Delineation Criteria Confirmed breeding area based on the presence of a nest, chicks, juveniles, or adults on a lek. Point observations are mapped in the center of a one-square mile hexagon to protect the exact locations of leks. The outer edges of this hexagon are then buffered by a distance of 6,400 meters in order to encompass a body of research indicating that females typically nest within this distance of a lek and that lek numbers are negatively impacted by fossil fuel drilling activities within this distance of a lek. If the locational uncertainty associated with the observation is greater than this distance, it is buffered by the locational up to a maximum distance of 10,000 meters. All of the one-square mile hexagons intersecting this buffered area are presented as the Species Occurrence record. (Last Updated: Sep 25, 2019)	
Predictive Models: 59% Low (inductive) Associated Habitats: 31% Common, 3% Occasional	
V - Gratiola ebracteata (<i>Bractless Hedge-hyssop</i>) SOC 1 + Not Available Not Assigned	
View in Field Guide View Range Maps	
Species of Concern - Native Species Global: G4 State: S2 MNPS: 3	
Delineation Criteria Individual occurrences are generally based upon a discretely mapped area provided by an observer and are not separated by any pre-defined distance. Individual clusters of plants mapped at fine spatial scales (separated by less than approximately 25-50 meters) may be grouped together into one occurrence if they are not separated by distinct areas of habitat or terrain features. Point observations are buffered to encompass any locational uncertainty associated with the observation. (Last Updated: Apr 26, 2018)	
O - Bat Roost (Non-Cave) (<i>Bat Roost (Non-Cave)</i>) IAH 9 Not Available Not Assigned	
View in Field Guide	
Important Animal Habitat - Native Species Global: GNR State: SNR	
Delineation Criteria Confirmed area of occupancy based on the documented presence of adults or juveniles of any bat species at non-cave natural roost sites (e.g. rock outcrops, trees), below ground human created roost sites (e.g. mines), and above ground human created roost sites (e.g., bridges, buildings). Point observation locations are buffered by a distance of 4,500 meters in order to encompass the 95% confidence interval for nightly foraging distance reported for Townsend's Big-eared Bat (a resident Montana bat Species of Concern) and otherwise by the locational uncertainty associated with the observation up to a maximum distance of 10,000 meters. (Last Updated: Oct 22, 2019)	

APPENDIX C

**US FISH AND WILDLIFE SPECIES LIST FOR YELLOWSTONE
COUNTY, MONTANA**



United States Department of the Interior

Fish and Wildlife Service

Ecological Services

Montana Field Office

585 Shepard Way, Suite 1

Helena, Montana 59601-6287

Phone: (406) 449-5225, Fax: (406) 449-5339



ENDANGERED, THREATENED, PROPOSED AND CANDIDATE SPECIES MONTANA COUNTIES* Endangered Species Act

June 10, 2020

C = Candidate

LT = Listed Threatened

LE = Listed Endangered

P = Proposed

PCH = Proposed Critical Habitat

CH = Designated Critical Habitat

XN = Experimental non-essential population

*Note: Generally, this list identifies the counties where one would reasonably expect the species to occur, not necessarily every county where the species is listed

County/Scientific Name	Common Name	Status
BEAVERHEAD		
<i>Spiranthes diluvialis</i>	Ute Ladies' Tresses	LT
<i>Ursus arctos horribilis</i>	Grizzly Bear	LT
<i>Lynx canadensis</i>	Canada Lynx	LT
<i>Gulo gulo luscus</i>	Wolverine	P
<i>Pinus albicaulis</i>	Whitebark Pine	C
BIG HORN		
<i>Mustela nigripes</i>	Black-footed Ferret	LE
BLAINE		
<i>Scaphirhynchus albus</i>	Pallid Sturgeon	LE
<i>Mustela nigripes</i>	Black-footed Ferret	LE
<i>Charadrius melodus</i>	Piping Plover	LT
BROADWATER		
<i>Spiranthes diluvialis</i>	Ute Ladies' Tresses	LT
<i>Lynx canadensis</i>	Canada Lynx	LT
<i>Ursus arctos horribilis</i>	Grizzly Bear	LT
<i>Gulo gulo luscus</i>	Wolverine	P
<i>Pinus albicaulis</i>	Whitebark Pine	C
CARBON		
<i>Lynx canadensis</i>	Canada Lynx	LT, CH
<i>Ursus arctos horribilis</i>	Grizzly Bear	LT
<i>Gulo gulo luscus</i>	Wolverine	P
<i>Zapada glacier</i>	Western Glacier Stonefly	LT
<i>Pinus albicaulis</i>	Whitebark Pine	C

County/Scientific Name	Common Name	Status
SWEET GRASS		
<i>Lynx canadensis</i>	Canada Lynx	LT, CH
<i>Ursus arctos horribilis</i>	Grizzly Bear	LT
<i>Gulo gulo luscus</i>	Wolverine	P
<i>Pinus albicaulis</i>	Whitebark Pine	C
TETON		
<i>Ursus arctos horribilis</i>	Grizzly Bear	LT
<i>Lynx canadensis</i>	Canada Lynx	LT, CH
<i>Calidris canutus rufa</i>	Red Knot	LT
<i>Charadrius melodus</i>	Piping Plover	LT
<i>Gulo gulo luscus</i>	Wolverine	P
<i>Pinus albicaulis</i>	Whitebark Pine	C
TOOLE		
<i>Calidris canutus rufa</i>	Red Knot	LT
<i>Ursus arctos horribilis</i>	Grizzly Bear	LT
<i>Pinus albicaulis</i>	Whitebark Pine	C
TREASURE		
No listings at this time		
VALLEY		
<i>Scaphirhynchus albus</i>	Pallid Sturgeon	LE
<i>Sterna antillarum athalassos</i>	Interior Least Tern	LE
<i>Grus americana</i>	Whooping Crane	LE
<i>Charadrius melodus</i>	Piping Plover	LT, CH
<i>Calidris canutus rufa</i>	Red Knot	LT
<i>Myotis septentrionalis</i>	Northern Long-eared Bat	LT
WHEATLAND		
<i>Lynx canadensis</i>	Canada Lynx	LT
<i>Ursus arctos horribilis</i>	Grizzly Bear	LT
<i>Gulo gulo luscus</i>	Wolverine	P
<i>Pinus albicaulis</i>	Whitebark Pine	C
WIBAUX		
<i>Scaphirhynchus albus</i>	Pallid Sturgeon	LE
<i>Sterna antillarum athalassos</i>	Interior Least Tern	LE
<i>Grus americana</i>	Whooping Crane	LE
<i>Myotis septentrionalis</i>	Northern Long-eared Bat	LT
<i>Charadrius melodus</i>	Piping Plover	LT
YELLOWSTONE		
<i>Grus americana</i>	Whooping Crane	LE
<i>Calidris canutus rufa</i>	Red Knot	LT