

AMENDMENT TO THE REVISED BIOLOGICAL ASSESSMENT FOR  
MONTANA DEPARTMENT OF TRANSPORTATION AND  
FEDERAL HIGHWAY ADMINISTRATION

NH 5-2(159)37; UPN: 8008000  
US 93 Evaro to Polson (RP 6.8 to 59.0)  
July 30, 2020

Please accept this amendment to the Revised Biological Assessment (BA) for the project NH 5-2(159)37; UPN 8008000, US 93 EVARO TO POLSON (RP 6.8 to 59.0), that was submitted by the Federal Highway Administration (FHWA) and Montana Department of Transportation (MDT) for ESA consultation in October 2017. This amendment addresses the Proposed Mitigation and Conservation Measures offered in Section 1.2.3, pages 11 and 12, of the BA.

The last paragraph of Section 1.2.3 reads:

*“Through the long-term operation and maintenance of US 93 and to address exceedance of take of grizzly bears under the 2005 Biological Opinion, additional mitigation measures outside the Action Area are being proposed by the MDT to further minimize adverse impacts to T&E species; specifically, grizzly bears. Because of ongoing issues related to grizzly bear mortalities resulting from vehicle collisions on US 93 north of St. Ignatius in the previously constructed segment, the MDT is proposing to extend the existing wildlife guide fencing at each of the existing wildlife crossing features in this area. Once completed, wildlife guide fence will be continuous from south of the Pistol Creek 1 crossing to north of Mission Creek, then continuous again from south of the Post Creek 4 crossing to north of the Post Creek 1 crossing. Because several private drives and roads are in the area, the MDT would need to incorporate power gates or new electrified mat/asphalt technology at each road approach to prevent bears and other wildlife from entering the fenced ROW in these areas”.*

To address the need for additional guide fence at the existing mitigation structures north and south of St. Ignatius, Montana, FHWA and MDT have programmed and initiated the project NH 5-2(185)30, UPN 9828000, US 93 NORTH-WILDLIFE FENCING. During project scope development, it was determined that continuous fence, as proposed in the BA, would be cost prohibitive due to the high number of private and public road approaches that would require mitigation (i.e. electrified gates, electrified concrete/asphalt mats or other technology) and would greatly delay or completely prevent project implementation. Recognizing that grizzly bear-vehicle collision mitigation was urgently needed, an alternative design was decided upon that would construct fence to help guide grizzly bear and other wildlife to existing crossing structures. Each section of fence would end at points that did not encompass an un-fundable number of road approaches, would offer optimal driver site distance, and would utilize county road intersections where entering or exiting traffic would increase driver attention to the road ahead. The proposed project also reduces risk and potential project delays associated with right-of-way negotiations with adjacent landowners by keeping the fencing limits to areas with fewer approaches while meeting the expectation of the fence guiding grizzly bears to the

existing wildlife crossings. FHWA and MDT would like to implement the project limits as proposed and avoid further delay due to funding, design or right-of-way acquisition risks. MDT believes that the proposed project limits is a substantial improvement over the existing condition and has a high chance of success at reducing future grizzly bear vehicle collisions. Adaptive management will be pursued if additional needs or specific changes are identified and deemed necessary and feasible.

For general reference, the approximate wildlife fence proposed start and end points are:

- Pistol Creek from Reference Point (RP) 30.40 to RP 30.93
  - No fence was built with these two structures.
- Sabine Creek from RP 31.60 to RP 32.06
  - Short wing-fence was originally built with this structure.
- Mission Creek from RP 32.30 to 32.50 RP
  - Short wing-fence was originally built with this structure.
- Lower Mission/Lee from RP 33.60 to RP 34.84
  - Short wing-fence was originally built with three of the five structures. Two structures do not have wing-fence.

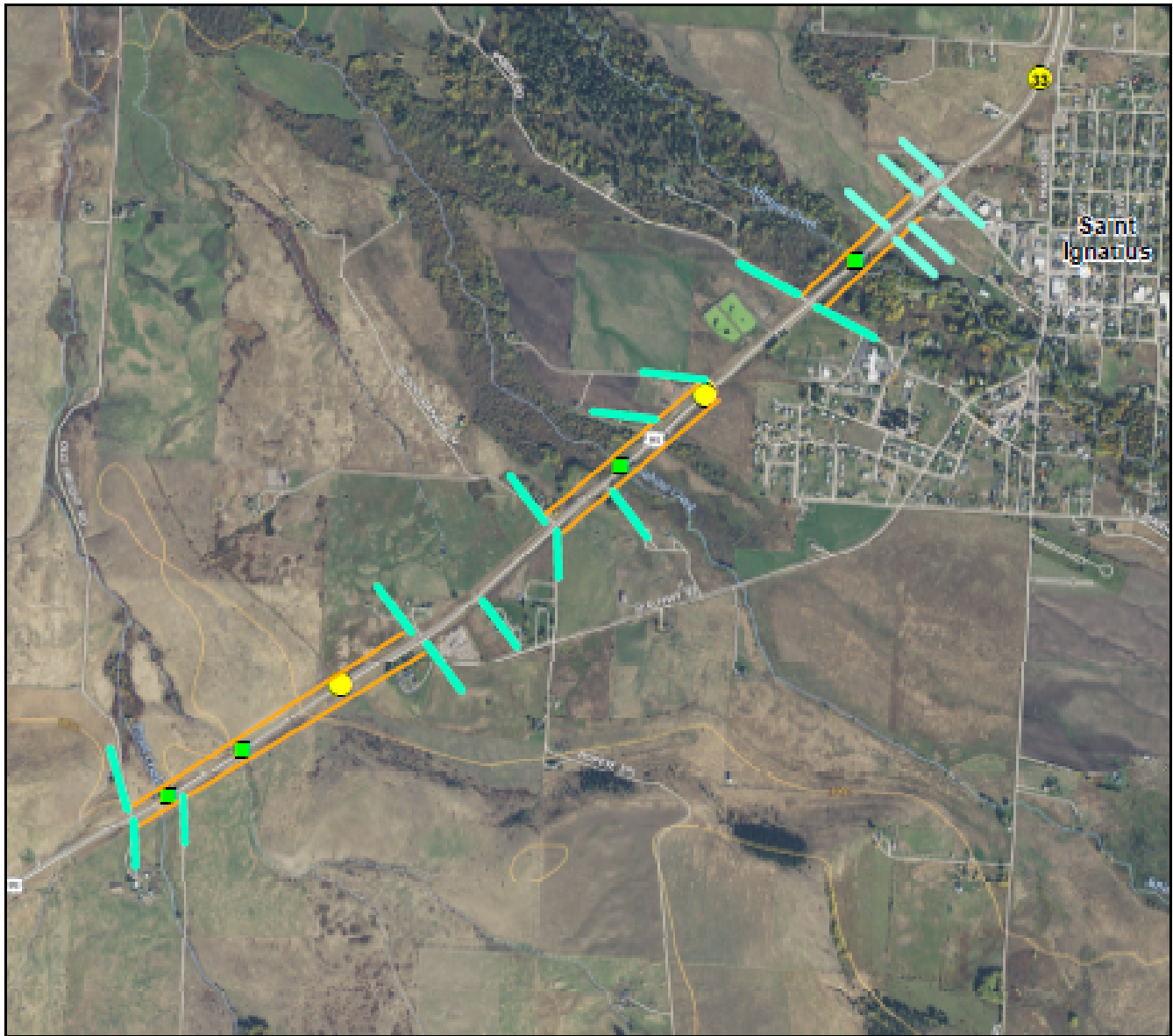
Wildlife jumpouts (escape ramps) will be incorporated into the longer sections of fence as appropriate.

Input from Confederated Salish and Kootenai Tribe (CSKT) Wildlife Staff has been incorporated for start and end points. To address fence openings at approaches, MDT will be incorporating the best available option that is amenable to each landowner, incorporates grizzly bear accessibility considerations, and is fundable within the current project budget. MDT will continue to consult with biologists from the Service and collaborate with biologists from the CSKT Wildlife Program early and iteratively in the design stage of the project to incorporate agreed upon changes.





MDT is currently funding research on fence end treatments along US 93 N and MT 200 that might provide additional treatment options and considerations for this and future projects along the US 93 N corridor. Should the research reveal a treatment option early enough in design of the proposed project, and is fundable with the currently proposed budget, such treatment options would be incorporated into the project if feasible.

Although the proposed project will result in improvements over the current baseline condition for grizzly bears, the determination of effect for the entire US 93 N, Evaro to Polson Corridor remains **May Effect, Likely to Adversely Effect**. No change in determination is sought with this amendment.

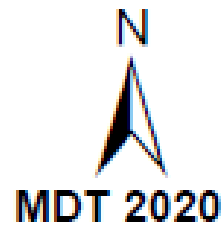
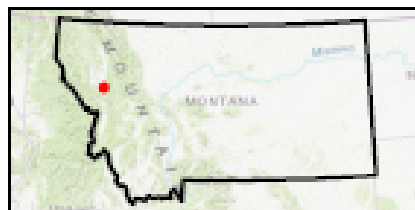
# Grizzly Bear Mortalities and Mitigation Treatment South of St. Ignace, Montana NH 5-2(185)30, UPN 9828000, US 93 NORTH-WILDLIFE FENCING



0 0.125 0.25 0.5 Miles

-  Vehicle Collision Grizzly Bear Mortalities
-  Existing Crossing Structures
-  Road Approaches/Driveways
-  Proposed Wildlife Fence

Location Map



# Grizzly Bear Mortalities and Mitigation Treatment North of St. Ignatus, Montana NH 5-2(185)30, UPN 9828000, US 93 NORTH-WILDLIFE FENCING



- + Vehicle Collision Grizzly Bear Mortalities
- Existing Crossing Structures
- ▬ Road Approaches/Driveways
- ▬ Proposed Wildlife Fence

Location Map

