Environmental Assessment Checklist

Project Name: Bergmann Easement
Proposed Implementation Date: October, 2017
Proponent: Roger Bergmann and the Plains Unit, Northwest Land Office, Montana DNRC
County: Sanders

Type and Purpose of Action

Description of Proposed Action:

The Plains Unit of the Montana Department of Natural Resources and Conservation (DNRC), along with Roger Bergmann, is proposing the Bergmann Easement. The project is located approximately 36 miles northwest of Plains, Montana on State lands in Section 36, T26N, R28W (refer to Attachments vicinity map A-**1** and project map A-**2**) and includes the following sections:

Beneficiary	Legal Description	Total Acres	Treated Acres
Commons Schools	**S36, T26N, R28W**	**640**	**5**

The proposed easement would allow Roger Bergmann access through State lands for a single-family residence on his privately-owned land in Section 1, Township 25 North, Range 28 West, commonly known as the Sales Mine Parcel.

Action	Quantity
Proposed Road Activities	# Miles
New permanent road construction	0.20
Road reconstruction	0.00
Road Obliteration	0.00
Other Activities	
Grant Easement	1.32
Granted Easement (acres)	4.86 ac

The lands involved in this proposed project are held in trust by the State of Montana. (Enabling Act of February 22, 1889; 1972 Montana Constitution, Article X, Section 11.) The Board of Land Commissioners and the DNRC are required by law to administer these trust lands to produce the largest measure of reasonable and legitimate return over the long run for the beneficiary institutions (Section 77-1-202, MCA).

The DNRC would manage lands involved in this project in accordance with:

- The State Forest Land Management Plan (DNRC 1996),
- Administrative Rules for Forest Management (ARM 36.11.401 through 471),
- The Montana DNRC Forested State Trust Lands Habitat Conservation Plan (HCP) (DNRC 2010),
- all other applicable state and federal laws.

Project Development

SCOPING:

- DATE: May 10, 2017
- PUBLIC SCOPED: Public involvement has been solicited through local newspaper advertisements (Valley Press), and a public notice was posted on the DNRC Website.
- COMMENTS RECEIVED:
    - How many: 0

DNRC specialists were consulted, including: Marc Vessar, NWLO Hydrologist, and Leah Breidinger, NWLO Wildlife Biologist.

Internal and external issues and concerns were incorporated into project planning and design and will be implemented in associated contracts.

OTHER GOVERNMENTAL AGENCIES WITH JURISDICTION, LIST OF PERMITS NEEDED: *(Conservation Easements, Army Corps of Engineers, road use permits, etc.)*

- **United States Fish & Wildlife Service-** DNRC is managing the habitats of threatened and endangered species on this project by implementing the Montana DNRC Forested Trust Lands HCP and the associated Incidental Take Permit that was issued by the United States Fish & Wildlife Service (USFWS) in February of 2012 under Section 10 of the Endangered Species Act. The HCP identifies specific conservation strategies for managing the habitats of grizzly bear, Canada lynx, and three fish species: bull trout, westslope cutthroat trout, and Columbia redband trout. This project complies with the HCP. The HCP can be found at www.dnrc.mt.gov/HCP.

- **Montana Department of Environmental Quality (DEQ)-** DNRC is classified as a major open burner by DEQ and is issued a permit from DEQ to conduct burning activities on state lands managed by DNRC. As a major open-burning permit holder, DNRC agrees to comply with the limitations and conditions of the permit.

- **Montana/Idaho Airshed Group-** The DNRC is a member of the Montana/Idaho Airshed Group which was formed to minimize or prevent smoke impacts while using fire to accomplish land management objectives and/or fuel hazard reduction

(Montana/Idaho Airshed Group 2006). The Group determines the delineation of airsheds and impact zones throughout Idaho and Montana. Airsheds describe those geographical areas that have similar atmospheric conditions, while impact zones describe any area in Montana or Idaho that the Group deems smoke sensitive and/or having an existing air quality problem (Montana/Idaho Airshed Group 2006). As a member of the Airshed Group, DNRC agrees to burn only on days approved for good smoke dispersion as determined by the Smoke Management Unit.

ALTERNATIVES CONSIDERED:

No-Action Alternative: Do not grant easement through State lands to Roger Bergmann.

Action Alternative: Grant easement to Roger Bergmann for a single-family residence.

Impacts on the Physical Environment

Evaluation of the impacts on the No-Action and Action Alternatives including **direct, secondary, and cumulative** impacts on the Physical Environment.

VEGETATION:

Vegetation Existing Conditions: The vegetation on approximately 1.2 miles of road exist on State lands is mostly grass and some noxious weeds such as knapweed, Oxeye Daisy and some thistle. Approximately 0.1 miles of road would be constructed. This would remove approximately 2 mbf timber, mostly Douglas fir, and vegetation in favor a new road prism. This would also remove approximately 0.5 acres from timber production.

Vegetation	Impact												Can Impact Be Mitigated?	Comment Number
	Direct				Secondary				Cumulative					
	No	Low	Mod	High	No	Low	Mod	High	No	Low	Mod	High		
No-Action														
Noxious Weeds	**X**				**X**				**X**					
Rare Plants	**X**				**X**				**X**					
Vegetative community	**X**				**X**				**X**					
Old Growth	**X**				**X**				**X**					
Action														
Noxious Weeds		**X**			**X**				**X**				**Y**	**S1**
Rare Plants	**X**				**X**				**X**					
Vegetative community	**X**				**X**				**X**					
Old Growth	**X**				**X**				**X**					

S1: Noxious weeds could be controlled by weed spraying. Grass seed on new construction and disturbed areas.

SOIL DISTURBANCE AND PRODUCTIVITY:

Soil Disturbance and Productivity Existing Conditions: Existing landtype according to the *Soil Survey of Lolo National Forest Area, Montana* is 720A (McCay-Elkridge-Melrude families, complex, moraines). The area proposed for road construction (approx. 0.1 miles) is currently forested.

Soil Disturbance and Productivity	Impact												Can Impact Be Mitigated?	Comment Number
	Direct				Secondary				Cumulative					
	No	Low	Mod	High	No	Low	Mod	High	No	Low	Mod	High		
No-Action														
Physical Disturbance (Compaction and Displacement)	**X**				**X**				**X**					
Erosion	**X**				**X**				**X**					
Nutrient Cycling	**X**				**X**				**X**					
Slope Stability	**X**				**X**				**X**					
Soil Productivity	**X**				**X**				**X**					
Action														
Physical Disturbance (Compaction and Displacement)				**X**								**X**	**No**	**S-1**
Erosion			**X**				**X**			**X**			**Yes**	**S-2**
Nutrient Cycling	**X**								**X**					
Slope Stability	**X**								**X**					
Soil Productivity				**X**				**X**				**X**	**No**	**S-1**

Comments:
S-1: The proposal would result in intentionally compacted ground to provide a stable road. Impacts would be high for the change in use. Soil productivity would also be reduced (intentionally) because forest production in the road prism would no longer be an objective.

S-2: Erosion during and immediately after construction would be moderate due to the loosened soil particles. After vegetation is established the risk of erosion would be low. Due to the distance from surface water and the gentle terrain, the risk of sediment delivery to a stream would be very low.

Soil Mitigations:
- Follow all Forestry Best Management Practices for road construction.
- Ensure adequate filtration before surface drainage enters streams.
- Grass seed all disturbed areas immediately after final shaping.

WATER QUALITY AND QUANTITY:
The project would construction approximately 0.1 miles of road on gentle terrain. The road would be located over 200 feet from any surface water.

Water Quality and Quantity Existing Conditions: The project is within the Whitney Creek drainage. Whitney Creek is a tributary to Lazier Creek and eventually the Thompson River.

Water Quality & Quantity	Impact												Can Impact Be Mitigated?	Comment Number
	Direct				Secondary				Cumulative					
	No	Low	Mod	High	No	Low	Mod	High	No	Low	Mod	High		
No-Action														
Water Quality	**X**									**X**				**H-1**
Water Quantity	**X**				**X**					**X**				**H-2**
Action														
Water Quality	**X**				**X**					**X**			**No**	**H-1**
Water Quantity	**X**				**X**					**X**			**No**	**H-2**

Comments:
H-1: Existing uses for streams in the area include livestock watering which generally results in some bank trampling. No impacts to water quality would be expected from the implementation of this project.
H-2: Past harvesting has likely altered the annual water yield increases in this drainage. However, the proposed project would not be expected to have a measurable change to water yield.

Water Quality & Quantity Mitigations:
Follow all Forestry BMPs to minimize the risk of sediment delivery to surface water.

FISHERIES:

Fisheries Existing Conditions: No fish or fish habitat is adjacent to the proposed project area.

No-Action: No direct or indirect impacts would occur to affected fish species or affected fisheries resources beyond those described in Fisheries Existing Conditions. Cumulative effects (other related past and present factors; other future, related actions; and any impacts described in Fisheries Existing Conditions) would continue to occur.

Action Alternative (see Fisheries table below):

Fisheries	Impact												Can Impact Be Mitigated?	Comment Number
	Direct				Secondary				Cumulative					
	No	Low	Mod	High	No	Low	Mod	High	No	Low	Mod	High		
No-Action														
Sediment	**X**				**X**				**X**					
Flow Regimes	**X**				**X**				**X**					
Woody Debris	**X**				**X**				**X**					
Stream Shading	**X**				**X**				**X**					
Stream Temperature	**X**				**X**				**X**					
Connectivity	**X**				**X**				**X**					
Populations	**X**				**X**				**X**					
Action														

Fisheries	Impact												Can Impact Be Mitigated?	Comment Number
	Direct				Secondary				Cumulative					
	No	Low	Mod	High	No	Low	Mod	High	No	Low	Mod	High		
Sediment	**X**				**X**				**X**					
Flow Regimes	**X**				**X**				**X**					
Woody Debris	**X**				**X**				**X**					
Stream Shading	**X**				**X**				**X**					
Stream Temperature	**X**				**X**				**X**					
Connectivity	**X**				**X**				**X**					
Populations	**X**				**X**				**X**					

Comments: Because the project is not near a fish-bearing stream, it is unlikely that any measurable impact to fish habitat or populations would result from the implementation of this alternative.

Fisheries Mitigations: None.

WILDLIFE:

No-Action: DNRC would not grant access to a family trust to use 1.2 miles of existing open road and 0.1 miles of new road would not be constructed. No changes to traffic or open road density would occur.

Action Alternative (see Wildlife table below): An easement would be granted on 1.2 miles of existing open road to a family trust to access a single-family residence as well as for timber resource management. Additionally, 0.1 miles of new open road would be constructed on DNRC lands to access the property.

Wildlife	Impact												Can Impact be Mitigated?	Comment Number
	Direct				Secondary				Cumulative					
	No	Low	Mod	High	No	Low	Mod	High	No	Low	Mod	High		
Threatened and Endangered Species														
Grizzly bear *(Ursus arctos)* Habitat: Recovery areas, security from human activity		**X**				**X**			**X**				**NA**	**WI-1**
Canada lynx (*Felix lynx)* Habitat: Subalpine fir habitat types, dense sapling, old forest, deep snow zone	**X**				**X**				**X**					
Wolverine *(Gulo gulo)*	**X**				**X**				**X**					
Sensitive Species														
Bald eagle *(Haliaeetus leucocephalus)* Habitat: Late-successional forest within 1 mile of open water	**X**				**X**				**X**					
Black-backed woodpecker *(Picoides arcticus)* Habitat: Mature to old burned or beetle-infested forest	**X**				**X**				**X**					
Coeur d'Alene salamander *(Plethodon idahoensis)* Habitat: Waterfall spray zones, talus	**X**				**X**				**X**					

Wildlife	Impact												Can Impact be Mitigated?	Comment Number
	Direct				Secondary				Cumulative					
	No	Low	Mod	High	No	Low	Mod	High	No	Low	Mod	High		
near cascading streams														
Columbian sharp-tailed grouse *(Tympanuchus Phasianellus columbianus)* Habitat: Grassland, shrubland, riparian, agriculture	**X**				**X**				**X**					
Common loon *(Gavia immer)* Habitat: Cold mountain lakes, nest in emergent vegetation	**X**				**X**				**X**					
Fisher *(Martes pennanti)* Habitat: Dense mature to old forest less than 6,000 feet in elevation and riparian	**X**				**X**				**X**					
Flammulated owl *(Otus flammeolus)* Habitat: Late-successional ponderosa pine and Douglas-fir forest	**X**				**X**				**X**					
Gray Wolf *(Canis lupus)* Habitat: Ample big game populations, security from human activities	**X**				**X**				**X**					
Harlequin duck *(Histrionicus histrionicus)* Habitat: White-water streams, boulder and cobble substrates	**X**				**X**				**X**					
Northern bog lemming *(Synaptomys borealis)* Habitat: Sphagnum meadows, bogs,	**X**				**X**				**X**					

Wildlife	Impact												Can Impact be Mitigated?	Comment Number
	Direct				Secondary				Cumulative					
	No	Low	Mod	High	No	Low	Mod	High	No	Low	Mod	High		
fens with thick moss mats														
Peregrine falcon *(Falco peregrinus)* Habitat: Cliff features near open foraging areas and/or wetlands	**X**				**X**				**X**					
Pileated woodpecker *(Dryocopus pileatus)* Habitat: Late-successional ponderosa pine and larch-fir forest	**X**				**X**				**X**					
Townsend's big-eared bat *(Plecotus townsendii)* Habitat: Caves, caverns, old mines	**X**				**X**				**X**					
Big Game Species														
Elk		**X**				**X**			**X**				**NA**	**WI-2**
Whitetail		**X**				**X**			**X**				**NA**	**WI-2**
Mule Deer		**X**				**X**			**X**				**NA**	**WI-2**
Other														

Comments:

WI-1: The Project Area is located three miles east of grizzly bear non-recovery occupied habitat associated with the Cabinet-yaak Ecosystem (*Wittinger 2002*). However, grizzly bears may travel through the area at any time. Granting an easement to the family trust would increase traffic on state lands, slightly increasing risk of displacement if bears happen to be in the area.

WI-2: The Project Area is considered winter range for white-tailed deer, mule deer, and elk. The easement would slightly increase traffic on DNRC lands including a newly constructed 0.1-mile road segment. However, the easement is for a single-family residence and for timber management thus traffic would not increase substantially and adverse effects to wintering animals are anticipated to be minimal.

Literature Cited:

Wittinger, W. 2002. Grizzly bear distribution outside of recovery zones. *In* Unpublished memorandum on file at USDA Forest Service, Region 1, Missoula, MT.

ARCHAEOLOGICAL SITES / AESTHETICS / DEMANDS ON ENVIRONMENTAL RESOURCES:

Will Alternative result in potential impacts to:	Impact												Can Impact Be Mitigated?	Comment Number
	Direct				Secondary				Cumulative					
	No	Low	Mod	High	No	Low	Mod	High	No	Low	Mod	High		
No-Action														
Historical or Archaeological Sites	**X**				**X**				**X**					
Aesthetics	**X**				**X**				**X**					
Demands on Environmental Resources of Land, Water, or Energy	**X**				**X**				**X**					
Action														
Historical or Archaeological Sites	**X**				**X**				**X**					
Aesthetics	**X**				**X**				**X**					
Demands on Environmental Resources of Land, Water, or Energy	**X**				**X**				**X**					

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

- Skookum Point Salvage EA
- North Meadow and Upper Indian Creek Timber Sales EA

Impacts on the Human Population

Evaluation of the impacts on the proposed action including **direct, secondary, and cumulative** impacts on the Human Population.

Will Alternative result in potential impacts to:	Impact												Can Impact Be Mitigated?	Comment Number
	Direct				Secondary				Cumulative					
	No	Low	Mod	High	No	Low	Mod	High	No	Low	Mod	High		
No-Action														
Health and Human Safety														
Industrial, Commercial and Agricultural Activities and Production	**X**				**X**				**X**					
Quantity and Distribution of Employment	**X**				**X**				**X**					
Local Tax Base and Tax Revenues	**X**				**X**				**X**					
Demand for Government Services	**X**				**X**				**X**					
Access To and Quality of Recreational and Wilderness Activities	**X**				**X**				**X**					
Density and Distribution of population and housing	**X**				**X**				**X**					
Social Structures and Mores	**X**				**X**				**X**					
Cultural Uniqueness and Diversity	**X**				**X**				**X**					
Action														
Health and Human Safety	**X**				**X**				**X**					
Industrial, Commercial and Agricultural Activities and Production	**X**				**X**				**X**					
Quantity and Distribution of Employment														
Local Tax Base and Tax Revenues	**X**				**X**				**X**					
Demand for Government Services	**X**				**X**				**X**					

Will Alternative result in potential impacts to:	Impact												Can Impact Be Mitigated?	Comment Number
	Direct				Secondary				Cumulative					
	No	Low	Mod	High	No	Low	Mod	High	No	Low	Mod	High		
Access To and Quality of Recreational and Wilderness Activities	X				X				X					
Density and Distribution of population and housing	X				X				X					
Social Structures and Mores	X				X				X					
Cultural Uniqueness and Diversity	X				X				X					

Comments:

Locally Adopted Environmental Plans and Goals: *List State, County, City, USFS, BLM, Tribal, and other zoning or management plans, and identify how they would affect this project.*

NA

References

DNRC. 2010. Montana Department of Natural Resources and Conservation Forested State Trust Lands Habitat Conservation Plan: Final EIS, Volume II, Forest Management Bureau, Missoula, Montana.

Environmental Assessment Checklist Prepared By:

Name: Colette Morgan
Title: Administrative Assistant
Date: August 4, 2017

Finding

Alternative Selected
The Action Alternative is selected for implementation.

Significance of Potential Impacts
No significant impacts were identified as a result of the implementation of the project.

Need for Further Environmental Analysis

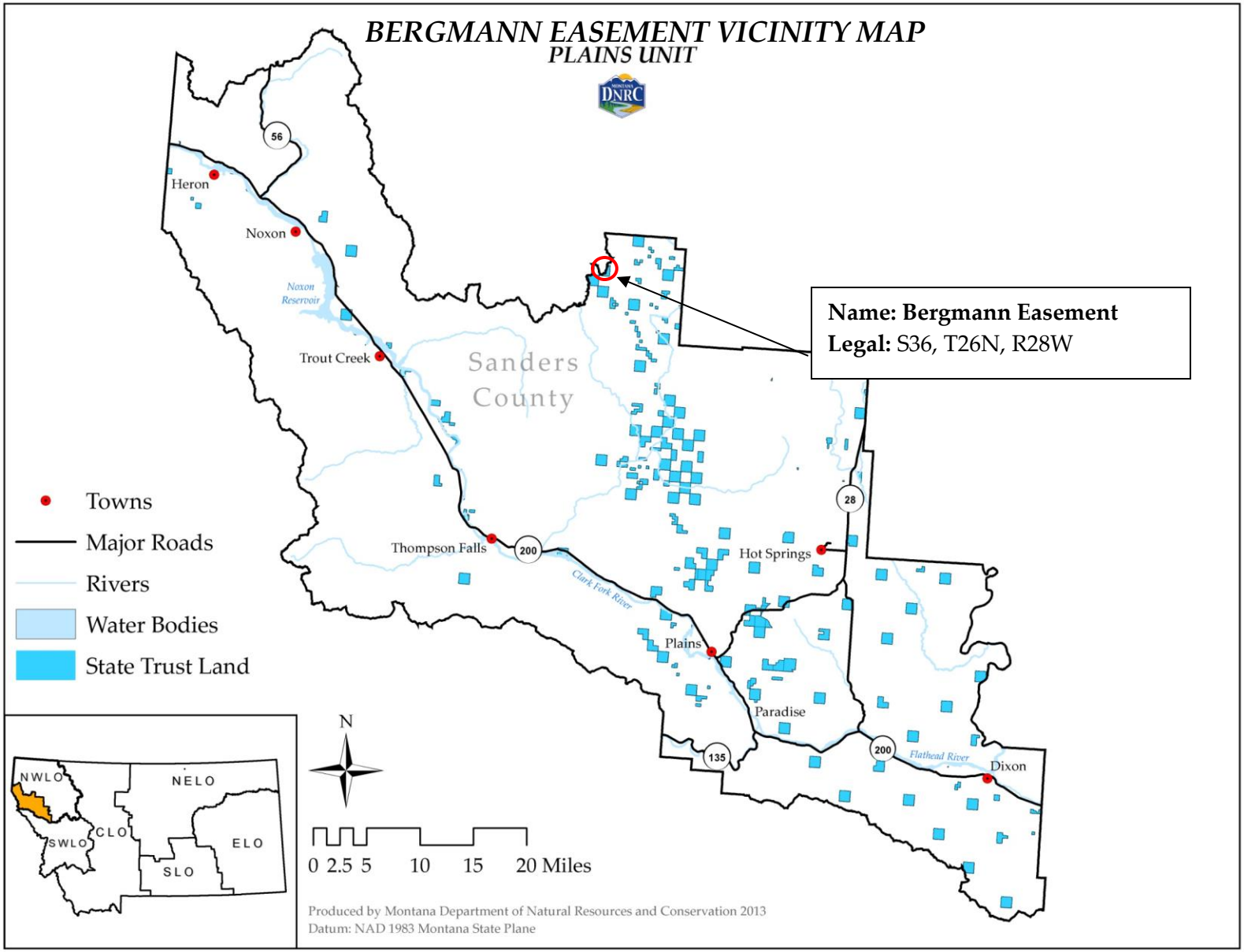
[ ]	EIS	[ ]	More Detailed EA	[X]	No Further Analysis

Environmental Assessment Checklist Approved By:

Name: David Olsen
Title: Plains Unit Manager
Date: August 4, 2017
Signature: /s/ *David M Olsen*

Attachment A- Maps

A-1: Vicinity Map



A-2: Easement Map