

## CHECKLIST ENVIRONMENTAL ASSESSMENT

<b>Project Name:</b>	Montana Department of Fish, Wildlife & Parks Small Volume Aggregate Permit #S-2100-08
<b>Proposed Implementation Date:</b>	April 2017
<b>Proponent:</b>	Fish, Wildlife & Parks Region 5 – Ken Frazier
<b>Location:</b>	Section 27, Township 4 North, Range 32 East (Yellowstone River – Public Land Trust)
<b>County:</b>	Yellowstone County

### I. TYPE AND PURPOSE OF ACTION

The Montana Department of Fish, Wildlife & Parks (FWP) is requesting that the DNRC Southern Land Office (SLO) issue a Small Volume Aggregate Permit to allow the removal of approximately 450 cubic yards of gravel from a gravel bar in the Yellowstone River that is generally located in the S½NE¼ of Section 27, Township 4 North, Range 32 East in Yellowstone County. FWP is requesting permission to go in and trench out some material from the gravel bar to try and relieve pressure on the adjoining shore and the only access road to the Captain Clark Fishing Access Site (FAS). The Yellowstone River has been gradually shifting south and eating away at the shore and it is now up against the only access road to the FAS launch site. FWP is currently trying to purchase some property from an adjoining private landowner to allow the road to be relocated, but the current request is to try and keep the FAS access road open for the current season until an agreement on the road relocation can be reached. FWP is requesting to utilize the gravel removed from the Yellowstone River as a base layer for the relocated access road and since the gravel is being put to a beneficial use, the DNRC must receive payment for it. The amount of material taken will partially depend on the level of the river since FWP does not want to dredge below the water level at the time the work is performed.

### II. PROJECT DEVELOPMENT

#### 1. PUBLIC INVOLVEMENT, AGENCIES, GROUPS OR INDIVIDUALS CONTACTED:

*Provide a brief chronology of the scoping and ongoing involvement for this project.*

No formal public scoping was performed by the Southern Land Office (SLO) for this proposed project. FWP has requested a 310 permit through the Yellowstone Conservation District.

A site visit of the proposed project area was conducted by Jeff Bollman, SLO Area Planner and Jocee Hedrick, SLO Land Use Specialist on 21 April 2017.

#### 2. OTHER GOVERNMENTAL AGENCIES WITH JURISDICTION, LIST OF PERMITS NEEDED:

Yellowstone Conservation District: 310 Permit  
Yellowstone County: Floodplain Permit  
US Army Corps of Engineers: Section 404 Permit  
Montana Department of Environmental Quality: 318 Permit and 401 Certification

#### 3. ALTERNATIVES CONSIDERED:

**Proposed Alternative:** Approve the issuance of a Small Volume Aggregate Permit for approximately 450 cubic yards of material to be removed from a gravel bar in the Yellowstone River, generally located in the S½NE¼ of Section 27, Township 4 North, Range 32 East in Yellowstone County.

**No Action Alternative:** Deny the request to issue a Small Volume Aggregate Permit.

### III. IMPACTS ON THE PHYSICAL ENVIRONMENT

- *RESOURCES* potentially impacted are listed on the form, followed by common issues that would be considered.
- Explain **POTENTIAL IMPACTS AND MITIGATIONS** following each resource heading.
- Enter "NONE" if no impacts are identified or the resource is not present.

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#### 4. GEOLOGY AND SOIL QUALITY, STABILITY AND MOISTURE:

*Consider the presence of fragile, compactable or unstable soils. Identify unusual geologic features. Specify any special reclamation considerations. Identify any cumulative impacts to soils.*

The area proposed for the Permit is a gravel bar in the Yellowstone River. The intent of the project is to dig an approximately 700' long shallow trench through the gravel bar to try and redirect some of the flow away from the shore where it is eroding the bank that abuts the only access road to the Captain Clark Fishing Access Site. No significant impacts are anticipated by the granting of the Permit.

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#### 5. WATER QUALITY, QUANTITY AND DISTRIBUTION:

*Identify important surface or groundwater resources. Consider the potential for violation of ambient water quality standards, drinking water maximum contaminant levels, or degradation of water quality. Identify cumulative effects to water resources.*

The project is located on a gravel bar in the Yellowstone River. FWP is not proposing to remove any material that is below the water level, but will still construct a temporary access on the shore and cross the high water channel with heavy equipment. The main impact to water quality would be moving of equipment from the shore across the high water channel to the gravel bar. No significant adverse impacts are anticipated.

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#### 6. AIR QUALITY:

*What pollutants or particulate would be produced? Identify air quality regulations or zones (e.g. Class I air shed) the project would influence. Identify cumulative effects to air quality.*

No significant impact is expected to air quality, although there may be a minor temporary increase in particulate emission during the removal and transporting of the aggregate material. No significant impacts are anticipated.

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#### 7. VEGETATION COVER, QUANTITY AND QUALITY:

*What changes would the action cause to vegetative communities? Consider rare plants or cover types that would be affected. Identify cumulative effects to vegetation.*

The area proposed for the Permit is a gravel bar in the Yellowstone River which has no vegetative cover due to it being a relatively new formation. No significant impacts are expected by issuing the proposed Permit.

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#### 8. TERRESTRIAL, AVIAN AND AQUATIC LIFE AND HABITATS:

*Consider substantial habitat values and use of the area by wildlife, birds or fish. Identify cumulative effects to fish and wildlife.*

No significant adverse impacts to terrestrial, avian and aquatic life and habitats are expected to occur as a result of implementing the proposed alternative.

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**9. UNIQUE, ENDANGERED, FRAGILE OR LIMITED ENVIRONMENTAL RESOURCES:**

*Consider any federally listed threatened or endangered species or habitat identified in the project area. Determine effects to wetlands. Consider Sensitive Species or Species of special concern. Identify cumulative effects to these species and their habitat.*

A proposed project area search of the Montana Natural Heritage Program database identified eleven vertebrate animals that are listed as a species of concern or threatened species: Black-tailed Prairie Dog, Hoary Bat, Little Brown Myotis, Spotted Bat, Burrowing Owl, Great Blue Heron, Greater Sage-Grouse, Red-headed Woodpecker, Snapping Turtle, Spiny Softshell and Sauger. The proposed project location is on a gravel bar in the Yellowstone River, therefore the greatest potential for impacts would be species listed above that prefer habitat in or near the river. The gravel bar proposed to be bisected by the shallow trench does not have any vegetation on it. In addition, the project would not remove material below the water level at the time of excavation.

The subject property is not located within Sage-Grouse General or Core Habitat.

No significant impacts to unique or endangered species are expected as a result of implementing the proposed alternative.

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**10. HISTORICAL AND ARCHAEOLOGICAL SITES:**

*Identify and determine effects to historical, archaeological or paleontological resources.*

The proposed project would occur on a gravel bar in the Yellowstone River. No adverse effects to state-owned Historic Properties are anticipated.

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**11. AESTHETICS:**

*Determine if the project is located on a prominent topographic feature, or may be visible from populated or scenic areas. What level of noise, light or visual change would be produced? Identify cumulative effects to aesthetics.*

The proposed action would create a shallow trench that would carry water during high water flow. There may initially be some evidence of the trenching, but after high water, there will be no evidence of the work that is proposed. No significant impacts to aesthetics are expected by issuing the proposed Permit.

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**12. DEMANDS ON ENVIRONMENTAL RESOURCES OF LAND, WATER, AIR OR ENERGY:**

*Determine the amount of limited resources the project would require. Identify other activities nearby that the project would affect. Identify cumulative effects to environmental resources.*

No significant impacts to environmental resources of land, water, air or energy would occur as a result of implementing the proposed alternative.

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**13. 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.*

There are no other known state or federal environmental reviews taking place in the subject area.

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<b>IV. IMPACTS ON THE HUMAN POPULATION</b>
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| <ul style="list-style-type: none"><li>• <i>RESOURCES potentially impacted are listed on the form, followed by common issues that would be considered.</i></li><li>• <i>Explain POTENTIAL IMPACTS AND MITIGATIONS following each resource heading.</i></li><li>• <i>Enter "NONE" if no impacts are identified or the resource is not present.</i></li></ul> |
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**14. HUMAN HEALTH AND SAFETY:**

*Identify any health and safety risks posed by the project.*

No significant adverse impacts to human health and safety would occur as a result of implementing the proposed alternative.

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**15. INDUSTRIAL, COMMERCIAL AND AGRICULTURE ACTIVITIES AND PRODUCTION:**

*Identify how the project would add to or alter these activities.*

No significant impacts to industrial, commercial and agricultural activities and production would occur as a result of implementing the proposed alternative.

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**16. QUANTITY AND DISTRIBUTION OF EMPLOYMENT:**

*Estimate the number of jobs the project would create, move or eliminate. Identify cumulative effects to the employment market.*

The proposed action will have no significant impact on the quantity and distribution of employment.

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**17. LOCAL AND STATE TAX BASE AND TAX REVENUES:**

*Estimate tax revenue the project would create or eliminate. Identify cumulative effects to taxes and revenue.*

The proposed action will have no significant impact on the local tax base.

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**18. DEMAND FOR GOVERNMENT SERVICES:**

*Estimate increases in traffic and changes to traffic patterns. What changes would be needed to fire protection, police, schools, etc.? Identify cumulative effects of this and other projects on government services*

The implementation of the proposed alternative will not generate any additional demands on services provided by Yellowstone County.

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**19. 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.*

The area included in the proposed alternative is not located in an area that is zoned by Yellowstone County.

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**20. ACCESS TO AND QUALITY OF RECREATIONAL AND WILDERNESS ACTIVITIES:**

*Identify any wilderness or recreational areas nearby or access routes through this tract. Determine the effects of the project on recreational potential within the tract. Identify cumulative effects to recreational and wilderness activities.*

The proposed project would have a short term impact on those recreating on the Yellowstone River during the project implementation. Once the project is complete there would be no further impacts to river use for the recreating public. The proposed action will not adversely impact the recreational use access or quality of the tract.

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**21. DENSITY AND DISTRIBUTION OF POPULATION AND HOUSING:**

*Estimate population changes and additional housing the project would require. Identify cumulative effects to population and housing.*

No significant adverse impacts to density and distribution of population and housing would occur as a result of implementing the proposed alternative.

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**22. SOCIAL STRUCTURES AND MORES:**

*Identify potential disruption of native or traditional lifestyles or communities.*

There are no native, unique or traditional lifestyles or communities in the vicinity that would be impacted by the proposed alternative.

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**23. CULTURAL UNIQUENESS AND DIVERSITY:**

*How would the action affect any unique quality of the area?*

The proposed alternative would not directly impact cultural uniqueness or diversity.

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**24. OTHER APPROPRIATE SOCIAL AND ECONOMIC CIRCUMSTANCES:**

*Estimate the return to the trust. Include appropriate economic analysis. Identify potential future uses for the analysis area other than existing management. Identify cumulative economic and social effects likely to occur as a result of the proposed action.*

The Public Land Trust received a \$25 application fee for a Small Volume Aggregate Permit and will receive approximately \$562.50 in royalties for the 450 cubic yards of aggregate (\$1.25/yard) that will be removed from the Yellowstone River.

<b>EA Checklist Prepared By:</b>	<b>Name:</b> Jeff Bollman	<b>Date:</b> 25 April 2017
	<b>Title:</b> Southern Land Office Area Planner	

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**V. FINDING**

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**25. ALTERNATIVE SELECTED:**

The proposed alternative has been selected and it is recommended that a Small Volume Aggregate Permit for approximately 450 cubic yards of aggregate material be granted to the Montana Department of Fish, Wildlife and Parks.

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**26. SIGNIFICANCE OF POTENTIAL IMPACTS:**

The potential for significant impacts from the proposed action is minimal based on the type of action proposed, its location on a small gravel bar in the Yellowstone River and the relatively small area that will be disturbed by the action. Additionally, there were no other areas that were identified that would produce adverse impacts from the proposed action that will not be mitigated as listed below.

The mitigation measures that will be required by the issuance of the Permit include:

1. The Permittee shall notify the Southern Land Office when they have completed removal of aggregate from the site. The SLO shall conduct a site inspection of the mined area to ensure that no further reclamation is required of the Permittee.
2. All in-river work shall be completed in an expeditious manner to avoid unnecessary impacts to the river.
3. All activities performed in the river and immediate vicinity shall be conducted in a manner to reduce turbidity along with minimizing disturbances to the riverbed and riverbank.
4. To prevent leaks of petroleum products into the river, no defective equipment shall be operated in the river or adjacent areas.
5. All necessary local, state and federal permits will be secured before any activities begin.

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**27. NEED FOR FURTHER ENVIRONMENTAL ANALYSIS:**

EIS

More Detailed EA

No Further Analysis

<b>EA Checklist Approved By:</b>	<b>Name:</b> Matthew Wolcott
	<b>Title:</b> Southern Land Office Area Manager
<b>Signature:</b> /s/ Matthew Wolcott	<b>Date:</b> April 25, 2017