

CHECKLIST ENVIRONMENTAL ASSESSMENT

Project Name: Hanson Livestock Poison Lakes Fence Request
Proposed Implementation Date: Summer, 2018
Proponent: Lessee: Hanson Livestock and Dillon BLM Office
Location: T11S R11W Sections 22 & 27
County: Beaverhead

I. TYPE AND PURPOSE OF ACTION

This fencing proposal is a cooperative project between the lessee, Hanson Livestock and the Dillon BLM Field Office. The BLM will provide fencing materials for approximately 1.75 miles of 4 strand barbed and smooth woven wire fence and Hanson Livestock will provide labor. The fence would be built to BLM specifications of approximately 16" bottom wire, 22" second wire, 28" third wire, and a top wire of 40" – 42". The purpose of the fence is to fence off the BLM wilderness study area from adjacent Montana Trust Land. It will also create an additional pasture for livestock using the lease and adjacent BLM permit. The project area is located in the Northern Tendency Mountain Range in Beaverhead County.

II. PROJECT DEVELOPMENT

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

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

Craig Fager, Montana Department of Fish, Wildlife, & Parks Biologist
Hanson Livestock Company
Dillon BLM Field Office
Montana Natural Resource Information Service
Patrick Rennie, DNRC Archaeologist
Montana Sage Grouse Conservation Program

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

If approved, the fence materials are to be furnished by the BLM. The BLM has conducted an analysis for the fence cost and location.

3. ALTERNATIVES CONSIDERED:

Alternative A) Allow construction of the proposed fence to BLM specifications
Alternative B) No action, fence construction would be denied.

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.*

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 project area is located in mountainous terrain. Topography is steep to rolling. Due to the low impact nature of barbed wire fencing on soils, the project will not cause cumulative impacts. No special reclamation is expected. If the project is approved, the site will be assessed after construction by Dillon Unit staff prior to grazing lease expiration and alterations may be required if significant impacts are noted.

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.

Water sources in the vicinity include Poison Lakes, Deer Canyon Creek and unnamed tributaries of Deer Canyon Creek, and scattered springs are located within the project area. Water sources on Trust Land are all located East of the proposed fence and water quality will not be directly affected by the proposed project. The proposed fence would limit livestock access to the lakes, creeks, & springs on Trust Land to the new pastures allotted use period.

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.

None

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.

No cumulative effects to vegetation are expected to result from this proposed project.

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.

The area is heavily used by elk, mule deer, and moose. The proposed fence is designed to be wildlife friendly with a top wire of 40"-42" and a bottom wire of 16". The spacing between the top wire and 3rd wire would be 12" to reduce wildlife entanglements as much as possible. Montana Department of Fish, Wildlife, and Parks biologist was solicited for comments on this project regarding wildlife impacts, no comments were received.

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 request was made to the Montana Natural Heritage Program regarding endangered or sensitive species located in the vicinity of the project area. The resulting Species of Concern Data Report included 11 species found:

1) **Little Brown Myotis** – (*Myotis lucifugus*) Little Brown Bats are considered a species of concern. The species is a year-round resident in Montana. The species is found over a variety of habitats across a large elevational gradient. The bats usually forage over water, eating mostly insects. The bats can live up to 30 years. There is douglas fir timber nearby to provide roosting habitat. Poison Lakes may provide insect foraging habitat approximately 1.25 miles to the East. The proposed fence project should not have any direct, indirect or long term cumulative impacts on Little Brown Bats habitat nor disturb roosting habitat.

2) **Westslope Cutthroat Trout** (*Oncorhynchus clarkii lewisi*) – Westslope cutthroat trout are currently listed as sensitive by both the US Forest Service, Bureau of Land Management, and the State of Montana. The

proposed project would place a fence in an upland site in dry rangeland conditions outside of waterways. Trout habitat will not be significantly impacted by the fencing project.

3) **Wolverine** (*Gulo gulo*) – The wolverine is listed as a BLM and USFS sensitive species and a species potentially at risk by the State of Montana. The proposed project of 4 strand barbed wire fence with a 16" bottom wire would not interfere with wolverine movement or use of the project area.

4) **Greater Sage-Grouse** (*Centrocercus urophasianus*)- Greater Sage-Grouse are listed as sensitive by the US Forest Service, BLM and the State of Montana. The project area is located in Sage-Grouse core habitat as Identified by the Montana Fish, Wildlife and Parks. The proposed project area is not located near a known Sage-Grouse lek. The nearest lek is 4 air miles to the West and substantially lower in elevation to the project site. The proposed project would be construction of a border fence between BLM wilderness study area and Trust Land. **Fence markers placed on the top 2 wires may reduce fence line collisions by birds in flight and should be required if this project is approved.** No cumulative effects to Sage-Grouse are expected as a result of the proposed improvement. The Montana Sage Grouse Habitat Conservation Program was contacted about the proposal to see if there were concerns with the construction of a new fence. The DNRC was informed that fence construction was exempt from the program oversight.

5) **Golden Eagle** (*Aquila chrysaetos*) – Golden eagles are a protected species under U.S. Fish & Wildlife Service regulations; it is also a BLM sensitive species and classified in the State of Montana as a species potentially at risk. The proposed project will not alter the existing vegetative community type and would not influence use of the area by golden eagles. The project would not have cumulative effects on golden eagle habitat or species distribution in the area.

6) **Northern Goshawk** (*Accipiter gentilis*) - is listed as a sensitive species by the BLM. The bird inhabits and lives in old growth forests where its food source is found. The fence would be constructed in open range land away from stands of timber where the goshawk lives. The fence would not affect northern goshawks, their prey or their habitat. This proposal would have no long term or cumulative impact on the bird.

7) **Idaho Sedge** (*Carex idahoensis*) – Idaho sedge is a U.S. Forest Service and BLM sensitive species and a species of concern in the State of Montana. Idaho sedge preferred habitat is wet meadows and riparian areas. The proposed fencing project is located on upland sites outside of Idaho sedge habitat. The project would not affect Idaho sedge habitat or species distribution in the area.

8) **Whitebark Pine** (*Pinus albicaulus*) – Whitebark Pine is listed as a BLM and USFS sensitive species and a species of concern by the State of Montana. It is a candidate for listing under the endangered species act by the USFWS. The proposed project is for a fence line to separate BLM land classified as Wilderness Study Area from Trust Land. Most of the site where the fence is proposed is sagebrush/grass and is not considered suitable habitat for whitebark pine. Approximately ¼ mile of the fence crosses through rock outcrop/rock scree where mountain mahogany, juniper, and scattered whitebark pine inhabit. This site will have minimal activity during a short construction period as moving materials and construction of the fence on this site will be by foot or horse packing as slopes are too steep to operate motor vehicles. Impacts to vegetation will be minimal and duration of construction on the site will be short – approximately 1 week or less.

9) **Small-flowered Pennycress** (*Noccaea parviflora*) – Small-flowered Pennycress, while not listed as having any special status by Federal or state agencies, is listed as a Species of Concern by the Montana Native Plant Society. The description on the NRIS field guide site page states that species with a State Rank of S3 is: "Potentially at risk because of limited and/or declining numbers, range and/or habitat, even though it may be abundant in some areas." Habitat includes mountain big sagebrush / Idaho fescue sagebrush steppe sites where moisture is abundant enough to support wiregrass (*Juncus balticus*) and shrubby cinquefoil. The proposed project would pass through approximately ¼ mile of habitat suitable for the pennycress. The project would be limited in duration and impacted area during construction. Duration would be less than a week on this site to complete the ¼ mile and size of impact area would be approximately ¼ mile long by less than 20 feet wide, approximately 0.6 Acres. Impacts would be one-time only.

10) **Taper-tip Desert-parsley** (Lomatium attenuatum) – Taper-tip Desert-parsley, while not listed as having any special status by Federal or state agencies, is listed as a Species of Concern by the Montana Native Plant Society. The description on the NRIS field guide site page states that species with a State Rank of S3 is: “Potentially at risk because of limited and/or declining numbers, range and/or habitat, even though it may be abundant in some areas.” Habitat includes steep, dry, rock outcrop/scree South aspects. The proposed project would pass through approximately ¼ mile of South aspect rock outcrop/scree slope. The project on this site would be limited to foot or horse packing due to steepness of slope. Limitations would also include short duration of construction and a small overall impact area. Duration would be less than a week on this site to complete the ¼ mile and size of impact area would be approximately ¼ mile long by less than 20 feet wide, approximately 0.6 Acres. Impacts would be one-time only.

11) **Rock Sedge** (Carex petricosa) – Rock Sedge, while not listed as having any special status by Federal or state agencies, is listed as a Species of Concern by the Montana Native Plant Society. The description on the NRIS field guide site page states that species has a State Rank of S1S2. S1 is defined as: “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 is defined as: “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.” This Montana Native Plant Society ranking is in contrast to the Global Rank of G4 which is defined as: “Apparently secure, though it may be quite rare in parts of its range, and/or suspected to be declining.”

State Rank Reason: Rare in Montana, where it is currently known from one site in Glacier National Park. Very little data are available for the species in Montana. However, the potential for negative impacts to the populations appears to be low. (copied verbatim from NRIS Montana Field Guides for Rock Sedge)

Distance between Glacier National Park where rock sedge is known to grow and the project site is approximately 320 road miles and nearly equal to the width of the State of Montana.

10. HISTORICAL AND ARCHAEOLOGICAL SITES:

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

Stone circles have been found and documented along the main ridgeline above Poison Lakes near the open recreational use road in Section 26. These rings are 1.25 – 1.5 miles from the site of the proposed project. No historical or archaeological sites were found within the construction zone. Patrick Rennie, DNRC archaeologist, was consulted regarding the project. His response:

“A Class I (literature review) level review was conducted by the DNRC staff archaeologist for the area of potential effect (APE). This entailed inspection of project maps, DNRC's sites/site leads database, land use records, General Land Office Survey Plats, and control cards. The Class I search revealed that no cultural or paleontological resources have been identified in the APE. Because of the low-impact nature of barbed-wire fence construction, no additional archaeological investigative work will be conducted in response to this proposed development. However, if previously unknown cultural or paleontological materials are identified during project related activities, all work will cease until a professional assessment of such resources can be made.”

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 project is located in a difficult-to-access part of the Northern Tendoy Mountain Range. The fence would be visible from an open recreational use road. The road would cross the fence in the SW of Section 27. A gate would be installed at this location. The project would not be detrimental to aesthetic values of the area.

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 limited resources would be required. The proposed project would not alter or affect other activities in the area. No cumulative effects to environmental resources are expected as a result of this project.

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.

These tracts have been identified as a potential conifer encroachment treatment area by the local Montana Fish, Wildlife, & Parks Biologist. An EA is currently being written by DNRC Dillon Unit Staff for this site as well as other sites throughout Beaverhead and Madison Counties. These projects will not interfere with each other or cause cumulative impacts to occur. The BLM has conducted an analysis on the portion of this project located their adjacent BLM ownership in Sections 21, 22, & 28, T11S R11W.

IV. IMPACTS ON THE HUMAN POPULATION

- *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.*

14. HUMAN HEALTH AND SAFETY:

Identify any health and safety risks posed by the project.

No human health or safety risks are expected to result from this project.

15. INDUSTRIAL, COMMERCIAL AND AGRICULTURE ACTIVITIES AND PRODUCTION:

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

The proposed project would not significantly alter agricultural activities or production.

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 project would employ summer temporary employees for approximately 2-4 weeks. No positive or negative cumulative effects to the employment market would result from this project.

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.

Tax revenue would not be affected by this project.

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.

None

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.

None

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.

If approved, a gate would be required to be placed in the fence where the Deer Canyon Road exits the West side of section 27 to allow access along the open recreational use road.

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.

None

22. SOCIAL STRUCTURES AND MORES:

Identify potential disruption of native or traditional lifestyles or communities.

None

23. CULTURAL UNIQUENESS AND DIVERSITY:

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

The proposed project would not alter any unique quality or diversity of the area.

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 purpose of this environmental document is to assess a fence line improvement request which if approved would be owned by the lessee. The area is currently under study to assess conifer encroachment control on Trust Lands around Poison Lakes. If both projects are implemented, there will be no interference between the two as they will not conflict with each other. Monetary return to the Common Schools Trust beneficiary as a direct result of this proposed fencing project is zero. The lessee will see improved use and distribution of livestock on the lease and surrounding permit.

**EA Checklist
Prepared By:**

Name: Charles Maddox
Title: Land Use Specialist

Date: 2/21/2018

V. FINDING**25. ALTERNATIVE SELECTED:**

Alternative A) Allow construction of the proposed fence to BLM specifications

26. SIGNIFICANCE OF POTENTIAL IMPACTS:

To mitigate any significant potential impacts to recreation and greater sagegrouse the lessee is required to install a gate for the access road where the Deer Canyon road exits the west side of section 27. This will allow access along the designated open recreational use road in the section. In addition, the lessee will be required to attach fence markers on the top 2 wires of the new fence to reduce collisions by greater sagegrouse and other birds in flight.

27. NEED FOR FURTHER ENVIRONMENTAL ANALYSIS:☐

EIS

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More Detailed EA

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No Further Analysis

EA Checklist Approved By:	Name: Timothy Egan
	Title: Dillon Unit Manager
Signature: /S/ Timothy Egan	
Date: February 22, 2018	

T11S R11W Section 22, 26, 27

