

Environmental Assessment Checklist

Project Name: North Fork Road Easement
Proposed Implementation Date: February 2021
Proponent: Stillwater Unit, Northwest Land Office, Montana DNRC
County: Flathead

Type and Purpose of Action

Description of Proposed Action:

The Stillwater Unit of the Montana Department of Natural Resources and Conservation (DNRC) is proposing the North Fork Easement Project. The project would grant Flathead County a permanent 60-foot right of way for 5,672 feet. The project is located approximately 38 air miles north of Columbia Falls, MT (refer to Attachments vicinity map A-1 and project map A-2)

Beneficiary	Legal Description	Total Acres	Treated Acres
Common Schools	Sec. 16 of T37N R22W	7.8	NA
Public Buildings			
MSU 2 nd Grant			
MSU Morrill			
Eastern College-MSU/Western College-U of M			
Montana Tech			
University of Montana			
School for the Deaf and Blind			
Pine Hills School			
Veterans Home			
Public Land Trust			
Acquired Land			

Objectives of the project include:

To grant Flathead County a permanent easement segment of North Fork Road in Section 16 of T37N R22W for a public road. This permanent easement would include utility rights as long as they stay within the ROW boundaries and allow Flathead County to perform road maintenance at their discretion.

Proposed activities include:

Action	Quantity
Proposed Harvest Activities	
	# Acres
Clearcut	NA
Seed Tree	NA
Shelterwood	NA
Selection	NA
Commercial Thinning	NA
Salvage	NA
	NA
Total Treatment Acres	NA
Proposed Forest Improvement Treatment	
	# Acres
Pre-commercial Thinning	NA
Planting	NA
Proposed Road Activities	
	# Miles
New permanent road construction	NA
New temporary road construction	NA
Road maintenance	NA
Road reconstruction	NA
Road abandoned	NA
Road reclaimed	NA
Other Activities	
Grant a 60-foot easement on miles of road	7.8 acres

Duration of Activities:	Permanent
Implementation Period:	February 2021

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)
- and all other applicable state and federal laws.

Project Development

SCOPING:

- DATE:
 - Scoping sent electronically on 12/4/2020; 25 copies were mailed on 12/9/2020
- PUBLIC SCOPED:
 - Statewide scoping list, Daily Interlake Newspaper, North Fork Landowners Association Website
- AGENCIES SCOPED:
 - MT FWP, All Montana Tribal Organizations, USFWS, Flathead County Commissioners
- COMMENTS RECEIVED:
 - How many: 2
 - Concerns:
 1. “*No Comment*” on the project from MT FWP
 2. One internal comment from DNRC regarding water quality and road maintenance
 - Results (how were concerns addressed):
 1. The above-mentioned concern is addressed under **Water Quality & Quality** and the **Fisheries** sections of this document.

DNRC specialists, such as a hydrologist, wildlife biologist and archeologist, were consulted for this project. 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 <http://dnrc.mt.gov/divisions/trust/forest-management/hcp>.
- **Flathead County** - is responsible for road maintenance on the North Fork Road.

ALTERNATIVES CONSIDERED:

No-Action Alternative: The No-Action alternative would not grant a permanent easement to Flathead County for this portion of the North Fork County Road. Use of the North Fork Road by the public is expected to continue at existing levels.

Action Alternative: DNRC would grant a permanent 60-foot easement for a public county road providing legal access and utility rights-of-way within the boundaries of the easement to Flathead County.

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: This road has been used by the public since the fifties and Flathead County assumed ownership since the late 70's. The existing vegetation are two 20-foot strips divided by the North Fork County Road. These strips contain forest vegetation but have been maintained to ensure the safety and function of the county road.

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					V-1
Rare Plants	X				X				X					V-2
Vegetative community	X				X				X					
Old Growth	X				X				X					
Action														
Noxious Weeds	X				X				X					V-1
Rare Plants	X				X				X					V-2
Vegetative community	X				X				X					
Old Growth	X				X				X					

Comments:

V-1 Noxious weeds within the 60-foot right of way will be continued to be abated through the Flathead's County Weed Abatement Program.

V-2 The following rare or sensitive plants were identified within the Montana Natural Heritage Database to potentially occur within the project area: *Pinus albicaulis* (Whitebark Pine); *Delphinium depauperatum* (Slim Larkspur); *Cypripedium passerinum*

(Sparrow's-egg Lady's-slipper); Potamogeton obtusifolius (Blunt-leaved Pondweed); Scorpidium scorpioides (A Scorpidium Moss) are listed as a species of concern in Township 37 North, Range 22 West.

None of these species of concern are known to exist within the proposed 60-foot right of way. If any are discovered, work will be stopped and specialists consulted.

Vegetation Mitigations:

No mitigations at this time

SOIL DISTURBANCE AND PRODUCTIVITY: The proposed easement is located on the existing North Fork Flathead River Road. The road has been in place for many decades, and comprises 1.1 miles and 7.8 acres. Soil disturbance and compaction occurred with construction, and are necessary in order to have a properly functioning road.

Soil Disturbance and Productivity Existing Conditions: Physical disturbance exists within the existing road prism and is considered essential for a properly functioning road surface. The

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				X					
Erosion	X				X				X					
Nutrient Cycling	X				X				X					
Slope Stability	X				X				X					
Soil Productivity	X				X				X					

Comments: No changes to the existing road prism or standard are proposed with this easement grant, therefore no impacts are expected beyond those occurring with current use and management by Flathead County and DNRC

WATER QUALITY AND QUANTITY:

No impacts to water quality or water quantity are expected with the proposed easement grant since no changes to road prism or standard are proposed with this action.

Water Quality and Quantity Existing Conditions: Minor surface erosion and rilling occur during wet periods (precipitation events and snowmelt). No direct delivery of fine sediment to streams was identified during field review. The road prism has a crowned native surface and is balanced cut-and-fill construction with a ditch on the uphill side of the road. Ditches are not filtered and deliver directly to relief culverts and stream crossings.

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				X					
Water Quantity	X				X				X					
Action														
Water Quality	X				X				X					
Water Quantity	X				X				X					

Comments: No changes to the existing road prism or standard are proposed with this easement grant, therefore no impacts are expected beyond those occurring with current use and management by Flathead County and DNRC

- ***Water Quality & Quantity Mitigations:*** All requirements of Montana Best Management Practices for Forest Management should be implemented on the 1.1 miles of road proposed for easement due to the easement being located on a classified forest management parcel. Primary concerns are to install and maintain a ditch filter wherever the road intersects a stream on this 1.1 miles of road and ensure that road surface material is not sidcast into stream channels when conducting road maintenance.

FISHERIES:

Fisheries Existing Conditions: One fish-bearing stream was identified in the proposed project area by the FishMT website (FWP, 2020). This stream is an unnamed tributary to the North Fork Flathead River, and likely contains westslope cutthroat and bull trout. The stream is intermittent, but during spring runoff has connected flow to the North Fork Flathead River. It also has a series of beaver ponds and wetlands that support fish populations perennially.

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		
<i>No-Action</i>														
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					
<i>Action</i>														
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: No changes to the existing road prism or standard are proposed with this easement grant, therefore no impacts are expected beyond those occurring with current use and management by Flathead County and DNRC

- ***Fisheries Mitigations:*** All requirements of Montana Best Management Practices for Forest Management should be implemented on the 1.1 miles of road proposed for easement due to the easement being located on a classified forest management parcel. Primary concerns are to install and maintain a ditch filter wherever the road intersects a stream on this 1.1 miles of road and ensure that road surface material is not sidecast into stream channels when conducting road maintenance.

WILDLIFE:

No-Action: The easement to Flathead County would not be issued. Use of the North Fork Road by the public is expected to continue at existing levels.

Action Alternative (see Wildlife table below): A permanent easement on 1.1 miles of the North Fork Road (7.8 acres) would be issued to Flathead County, providing legal access for existing uses. The Project Area is considered grizzly bear recovery zone habitat associated with the Northern Continental Divide Ecosystem and all commitments pertaining to DNRC's Habitat Conservation Plan would be met (*USFWS and DNRC 2011*). The road would remain open to the public. Substantial increases in motorized use of this road due to issuing the easement would not be anticipated. Wildlife habitat would not be altered and no adverse impacts to wildlife are anticipated.

N. Fork Road Easement Request
Montana Department of Natural Resources and Conservation

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 <i>(Ursus arctos)</i> Habitat: Recovery areas, security from human activity	X				X				X					
Canada lynx <i>(Felix lynx)</i> Habitat: Subalpine fir habitat types, dense sapling, old forest, deep snow zone	X				X				X					
Wolverine <i>(Gulo gulo)</i>	X				X				X					
Sensitive Species														
Bald eagle <i>(Haliaeetus leucocephalus)</i> Habitat: Late-successional forest within 1 mile of open water	X				X				X					
Black-backed woodpecker <i>(Picoides arcticus)</i> Habitat: Mature to old burned or beetle-infested forest	X				X				X					
Coeur d'Alene salamander <i>(Plethodon idahoensis)</i> Habitat: Waterfall spray zones, talus near cascading streams	X				X				X					
Columbian sharp-tailed grouse <i>(Tympanuchus Phasianellus columbianus)</i> Habitat: Grassland, shrubland, riparian, agriculture	X				X				X					
Common loon	X				X				X					

N. Fork Road Easement Request
Montana Department of Natural Resources and Conservation

Wildlife	Impact												Can Impact be Mitigated?	Comment Number
	Direct				Secondary				Cumulative					
	No	Low	Mod	High	No	Low	Mod	High	No	Low	Mod	High		
<i>(Gavia immer)</i> Habitat: Cold mountain lakes, nest in emergent vegetation														
Fisher <i>(Martes pennanti)</i> Habitat: Dense mature to old forest less than 6,000 feet in elevation and riparian	X				X				X					
Flammulated owl <i>(Otus flammeolus)</i> Habitat: Late-successional ponderosa pine and Douglas-fir forest	X				X				X					
Gray Wolf <i>(Canis lupus)</i> Habitat: Ample big game populations, security from human activities	X				X				X					
Harlequin duck <i>(Histrionicus histrionicus)</i> Habitat: White-water streams, boulder and cobble substrates	X				X				X					
Northern bog lemming <i>(Synaptomys borealis)</i> Habitat: Sphagnum meadows, bogs, fens with thick moss mats	X				X				X					
Peregrine falcon <i>(Falco peregrinus)</i> Habitat: Cliff features near open foraging areas and/or wetlands	X				X				X					
Pileated woodpecker <i>(Dryocopus pileatus)</i>	X				X				X					

N. Fork Road Easement Request
Montana Department of Natural Resources and Conservation

Wildlife	Impact												Can Impact be Mitigated?	Comment Number
	Direct				Secondary				Cumulative					
	No	Low	Mod	High	No	Low	Mod	High	No	Low	Mod	High		
Habitat: Late-successional ponderosa pine and larch-fir forest														
Townsend's big-eared bat <i>(Plecotus townsendii)</i> Habitat: Caves, caverns, old mines	X				X				X					
Big Game Species														
Elk	X				X				X					
Whitetail	X				X				X					
Mule Deer	X				X				X					
Other														

Literature:

USFWS. 1993. Grizzly bear recovery plan. Missoula, Montana. 181 pp.

USFWS, and DNRC. 2010. Montana Department of Natural Resources and Conservation Forested Trust Lands Habitat Conservation Plan, Final Environmental Impact Statement, Volumes I and II., U.S. Department of Interior, Fish and Wildlife Service, Region 6, Denver, Colorado and Montana Department of Natural Resources and Conservation, Missoula, MT.

AIR QUALITY:

Air Quality	Impact												Can Impact Be Mitigated?	Comment Number
	Direct				Secondary				Cumulative					
	No	Low	Mod	High	No	Low	Mod	High	No	Low	Mod	High		
No-Action														
Smoke	X				X				X					
Dust	X				X				X					AQ-1
Action														
Smoke	X				X				X					
Dust	X				X				X					AQ-1

Comments:

AQ-1- This project will not increase or decrease the amount of dust on this portion of the North Fork Road. This road will continue to be treated by Flathead County with their Dust Abatement Program.

Mitigations:

No mitigations at this time.

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					AR-1
Aesthetics	X				X				X					
Demands on Environmental Resources of Land, Water, or Energy	X				X				X					
Action														
Historical or Archaeological Sites	X				X				X					AR-1
Aesthetics	X				X				X					
Demands on Environmental Resources of Land, Water, or Energy	X				X				X					

Comments:

AR-1- 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 results revealed that no cultural or paleontological resources have been identified in the APE.

Because the road for which the easement applies is an existing feature, and because a change in land use, or ownership will not occur, issuance of the proposed easement is expected to have *No Effect to Antiquities*. No additional archaeological investigative work will be conducted in response to this proposed development.

Mitigations:

No mitigations at this time

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.*

- **Garnet Timber Sale** (June 2020)

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	X				X				X					
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					

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			
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						

Comments: No comments

Mitigations: No mitigations at this time

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.*

- North Fork Neighborhood Plan, March 2008. This project would not affect this plan.

Other Appropriate Social and Economic Circumstances:

Costs, revenues and estimates of return are estimates intended for relative comparison of alternatives. They are not intended to be used as absolute estimates of return.

No-Action Alternative: The No-Action alternative would not generate any return to the trust at this time.

Action Alternative: The purchase of this easement would generate additional revenue for the Common Schools Trust. The estimated return to the trust for the proposed harvest is approximately \$35,000 based on land values from DNRC’s Base Map GIS Mapping System. Costs, revenues, and estimates of return are estimates intended for relative comparison of alternatives, they are not intended to be used as absolute estimates of return.

References

DNRC 1996. State forest land management plan: final environmental impact statement (and appendixes). Montana Department of Natural Resources and Conservation, Forest Management Bureau, Missoula, Montana.

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.

Does the proposed action involve potential risks or adverse effects that are uncertain but extremely harmful if they were to occur?

No

Does the proposed action have impacts that are individually minor, but cumulatively significant or potentially significant?

No

Environmental Assessment Checklist Prepared By:

Name: Dave Ring
Title: Stillwater Unit Manger
Date: December 21, 2020

Finding

An interdisciplinary team has completed the Environmental Assessment (EA) for the proposed easement grant by the Department of Natural Resources and Conservation (DNRC) to Flathead County for a public road crossing state section 16, T37N, R22W. After a thorough review of the EA, DNRC policies, and Administrative Rules, the following decisions have been made:

Alternative Selected

Two alternatives are presented and were fully analyzed in the EA:

No Action Alternative

Under the No Action Alternative, DNRC would not authorize the purchase of the public road easement by Flathead County, and the Federal Highways reconstruction project on the North Fork Road would be indefinitely stalled.

Action Alternative

The Action Alternative would authorize the sale of the 60-foot public county road easement including utilities to Flathead County, thereby perfecting legal access and allowing federal project dollars to be spent on the reconstruction project to improve that portion of the North Fork Road. The sale of the proposed easement would not change the amount or type of road use that is already existing; will bring in additional revenue to the Common Schools Trust; and will resolve a long standing issue of securing legal rights for that section of the North Fork Road across school trust land.

For the following reasons I have selected the Action Alternative as presented in this EA:

- The Action Alternative meets the project objectives as stated on page 1
- The action alternative includes as part of the water quality and fisheries analysis, the recommendation that Montana's Best Management Practices be followed to ensure ditch filters and no side-casting of road materials into streams to protect those resources.
- No issues were identified in the public scoping process that would compel DNRC to not authorize the sale the of the public road and utility easement to Flathead County

Significance of Potential Impacts

Upon review of the primary issues considered as part of this EA, I find that due to the action of authorizing the sale of a county public road easement including utilities to Flathead County, there will be no new foreseeable impacts to soil, vegetation, wildlife, water quality, archeological or cultural resources, aesthetics, or any other impact to the human population. I find no precedent for future actions that would cause significant impacts, nor do I find conflict with local, State, or federal laws, requirements, or formal plans. In summary, I find that potential for impacts relative to this proposed action are non-existent, will be mitigated by recommendations herein, or controlled by practices already in place to the extent that they are not significant.

Need for Further Environmental Analysis

EIS

More Detailed EA

No Further Analysis

Environmental Assessment Checklist Approved By:

Name: Greg Poncin

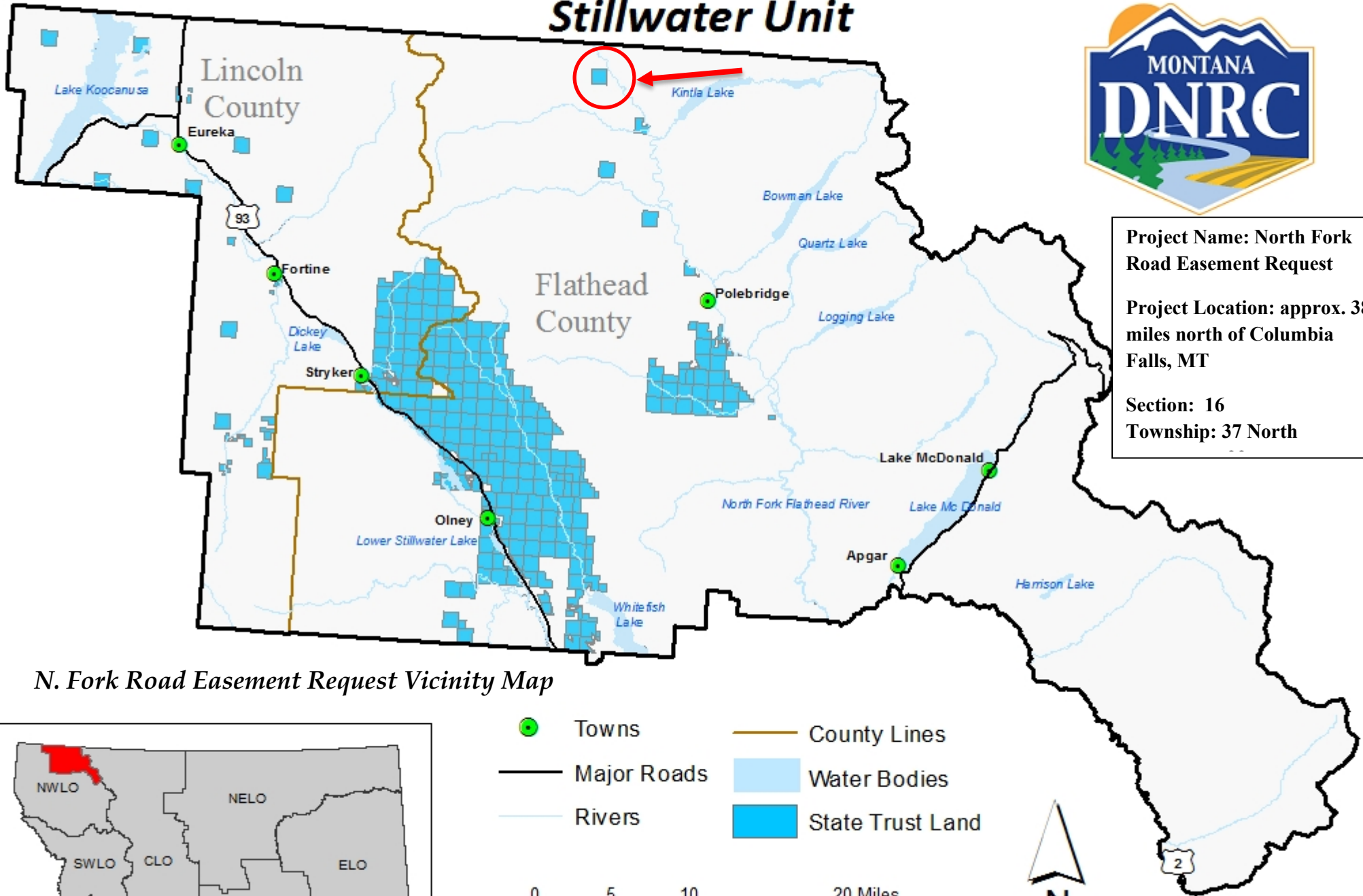
Title: Northwestern Area Manager

Date: December 22, 2020

Signature: /s/ Greg Poncin

State Trust Land Vicinity Map

Stillwater Unit



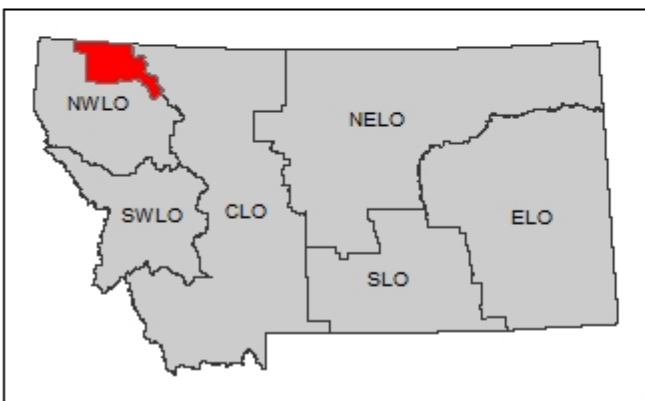
Project Name: North Fork Road Easement Request

Project Location: approx. 38 miles north of Columbia Falls, MT

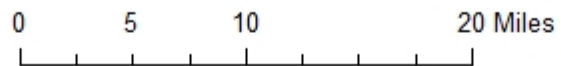
Section: 16

Township: 37 North

N. Fork Road Easement Request Vicinity Map



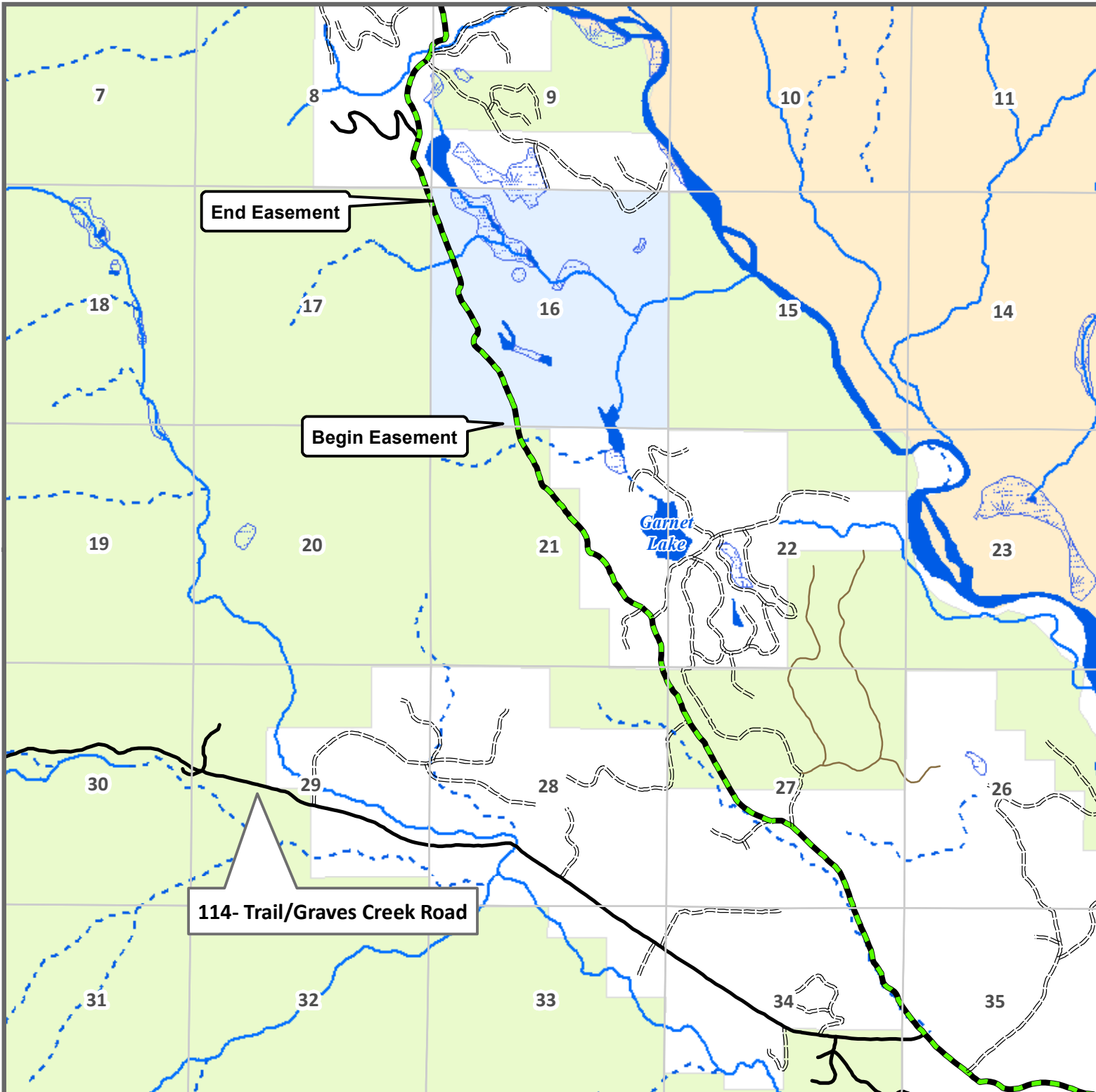
- Towns
- County Lines
- Major Roads
- Water Bodies
- Rivers
- State Trust Land





North Fork Road Easement Request

T37N R22W Section 16



LEGEND

- MT DNRC Trust Land
- Forest Service
- Glacier National Park
- Private

