

**CATEGORICAL EXCLUSION DOCUMENTATION**

**Project Name:** U.S. Highway 93 Alternate Route Temporary Construction Land Use License,  
**Proponent:** LHC Inc.

**Proposed Implementation Date:** 10-19-2015

**Type and Purpose of Action:** The proposed activity is to grant a temporary Land Use License to allow:

- Temporary authorization to store topsoil from the bypass road construction on Trust Lands outside the easement area associated with construction. The proposal is to utilize a 100 foot wide strip of land along the north and west edge of the bypass ROW through Spring, 2016. Upon completion of the grade work, the topsoil will be returned to the bypass ROW and the disturbed area will be leveled and revegetated to Licensor's specifications.

**Location:** Section 36, T.29N, R.22W, P.M.M., Flathead County, MT.

Per Administrative Rules of Montana: 36.25.918 CATEGORICAL EXCLUSIONS (1) Pursuant to 77-1-121, MCA, and ARM 36.2.523(5), the board adopted the following additional categorical exclusions for real estate management activities conducted upon state trust lands:

- lease and license administration including review, inspection, amendments, assignments, renewals, and enforcement of terms and conditions;
- department review and approval of lease or license modifications, improvements, removal of improvements, and new utility service connections, consistent with applicable regulations;
- adjustments to the boundaries of existing leases or licenses, consistent with applicable regulations;
- project planning and design;
- project evaluation under ARM 36.25.906;
- development of a site selection report under ARM 36.25.907;
- project selection under ARM 36.25.908;
- development of the project management list under ARM 36.25.909;
- marketing of state trust lands proposed for lease, license, or easement;
- short-term land use licenses, involving no resource extraction or developed uses, and conforming to local permitting and land use regulations; and
- other real estate management activities administered by the bureau on state trust lands that are not in connection to:
  - (i) a department proposal for a sale, exchange, easement, placement of improvement, lease, license, or permit; or
  - (ii) a department review of an application for authorization of a sale, exchange, easement, placement of improvement, lease, license, or permit ;
- department request to amend a local growth policy or zoning regulation;
- department request to amend or develop a neighborhood plan or extension of services plan;
- annexation; and
- land acquisition. Categorical exclusions include activities on state trust lands conducted by others under the authority of the department as well as activities conducted by the department itself.

"Categorical Exclusion" refers to a type of action that does not individually, collectively, or cumulatively require an EA or EIS unless extraordinary circumstances occur (ARM 36.25.918(2)).

Prepared by:

Steve Lorch  
(Name)

  
(Signature)

NWLO Planner  
(Title)

10/15/15  
(Date)

The project listed above meets the definition of the indicated categorical exclusion, including specified conditions and extraordinary circumstances, as provided in the Real Estate Management Rules.

Decision by:

Dave Poukish  
(Name)

*Dave M. Poukish*  
(Signature)

Kalispell Unit Manager  
(Title)

10/19/15  
(Date)