

CATEGORICAL EXCLUSION DOCUMENTATION FOR DNRC FOREST MANAGEMENT ACTIVITY

Project Name: B Bar Road Use Permit

Proposed Implementation Date: September 2015

Proponent: B Bar Ranch, 818 Tom Miner Creek Rd, Emigrant, MT

Type and Purpose of Action: The proposed project would provide a temporary road use of ~500 feet of existing gravel road within State ownership.

The purpose of the proposed project is to facilitate the transport of approximately 145 truck-loads of raw forest products from an adjacent landowner's property and to provide revenue to the Common School trust.

Location: W2SW4NW4 Section 16, Township 8 South, Range 6 East

County: Park

Category (refer to ARM 36.11.447 (3)(a) through (w) for additional detail):

- a) Temporary Uses of Land with Negligible Effects
- b) Plans and Policies
- c) Leases and Licenses
- d) Acquisition of Land or Interest in Land
- e) Road Maintenance and Repair
- f) Bridges and Culverts
- g) Crossing Class 3 Streams
- h) Temporary Road Use Permits
- i) Road Closure
- j) Material Stockpiles
- k) Backfilling
- l) Gathering Forest Products for Personal Use
- m) Regeneration
- n) Nursery Operations
- o) Water Wells
- p) Herbicides and Pesticides
- q) Other Hazardous Materials
- r) Fences
- s) Waterlines
- t) Removal of Small Trees
- u) Removal of Hazardous Trees
- v) Cone Collection
- w) Timber Harvest (<100 MBF green or 500 MBF salvage)

By process of the adoption of the Forest Management Rules on February 27, 2003, pursuant to ARM 36.2.523(5)(a), the Department of Natural Resources and Conservation, Trust Land Management Division, has adopted the above categorical exclusions for activities conducted on

state forested trust lands. "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 36.2.522(5)).

Extraordinary Circumstances:

Will the proposed action affect one or more of the following resources, species or situations in the project area? If the resource, species, or situation is present, but project design avoids potential adverse effects on the resource, the answer is "No". One "Yes" answer indicates that Categorical Exclusion is not appropriate for the project, and an EA or EIS must be conducted.

- | YES | NO | |
|--------------------------|-------------------------------------|--|
| <input type="checkbox"/> | <input checked="" type="checkbox"/> | a) Sites with high erosion risk. |
| <input type="checkbox"/> | <input checked="" type="checkbox"/> | b) Federally listed threatened and endangered species or critical habitat for threatened and endangered species as designated by the USFWS. |
| <input type="checkbox"/> | <input checked="" type="checkbox"/> | c) Municipal watersheds. |
| <input type="checkbox"/> | <input checked="" type="checkbox"/> | d) The SMZ of fish bearing streams or lakes, except for modification or replacement of bridges, culverts and other crossing structures. |
| <input type="checkbox"/> | <input checked="" type="checkbox"/> | e) State natural area. |
| <input type="checkbox"/> | <input checked="" type="checkbox"/> | f) Native American religious and cultural sites. |
| <input type="checkbox"/> | <input checked="" type="checkbox"/> | g) Archaeological sites. |
| <input type="checkbox"/> | <input checked="" type="checkbox"/> | h) Historic properties and areas. |
| <input type="checkbox"/> | <input checked="" type="checkbox"/> | i) Several related projects that individually may be subject to categorical exclusion but that may occur at the same time or in the same geographic area. Such related actions may be subject to environmental review even if they are not individually subject to review. |
| <input type="checkbox"/> | <input checked="" type="checkbox"/> | j) Violations of any applicable state or federal laws or regulations. |

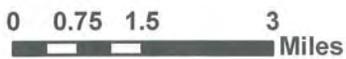
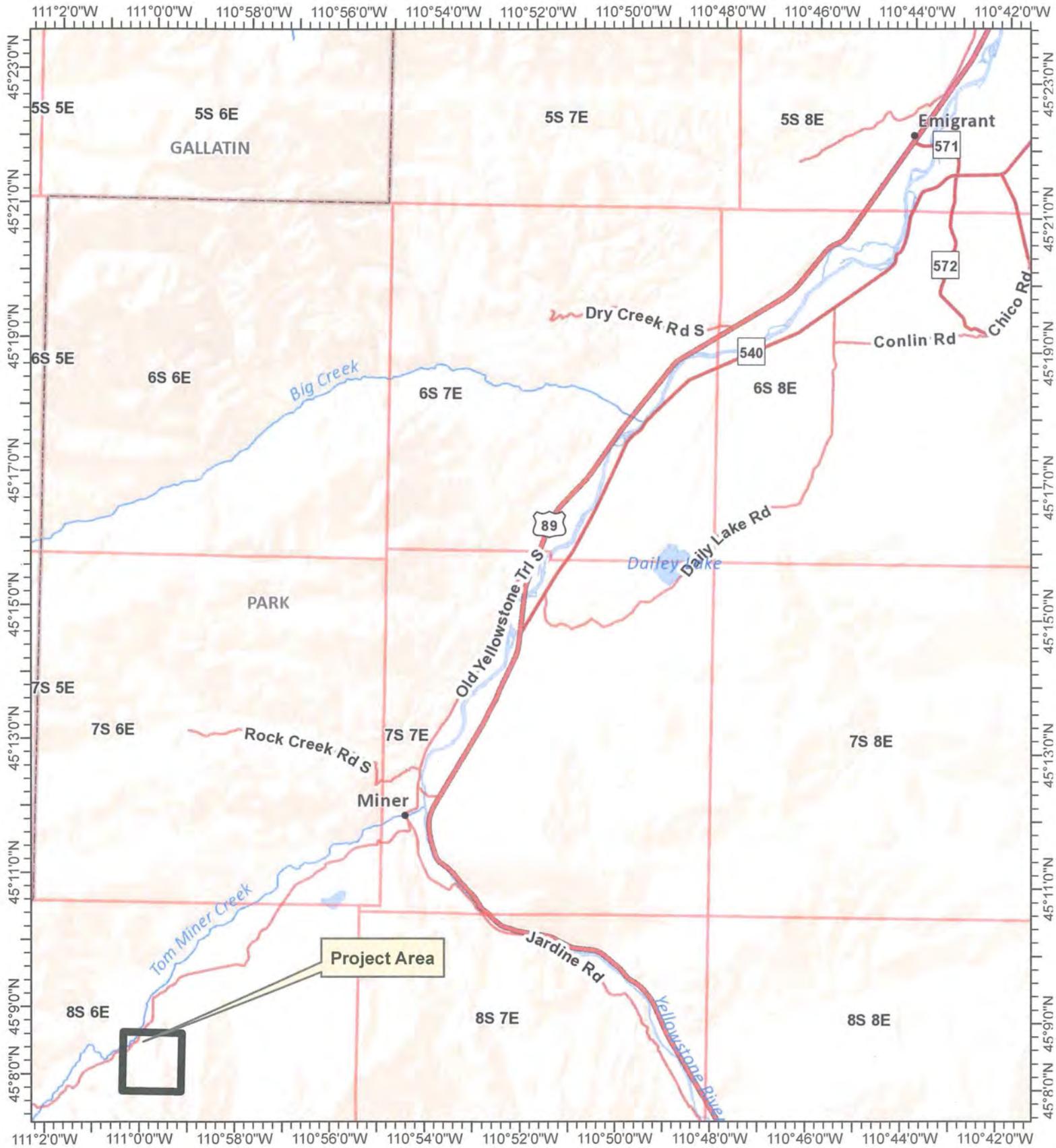
The project listed above meets the definition of the indicated categorical exclusion, including specified conditions and extraordinary circumstances, as provided in the Forest Management Rules (ARM 36.11.447).

Prepared by: Chuck Barone 9/21/2015
(Name) (Date)

Decision by: Craig Campbell Bozeman Unit Manager

 (Signature) 9/22/15 (Date)
(Name) (Title)

ATTACHMENT A - Vicinity Map
Proposed B Bar Ranch Land Use License
Section 16-T8S-R6E, Park County



1:140,000



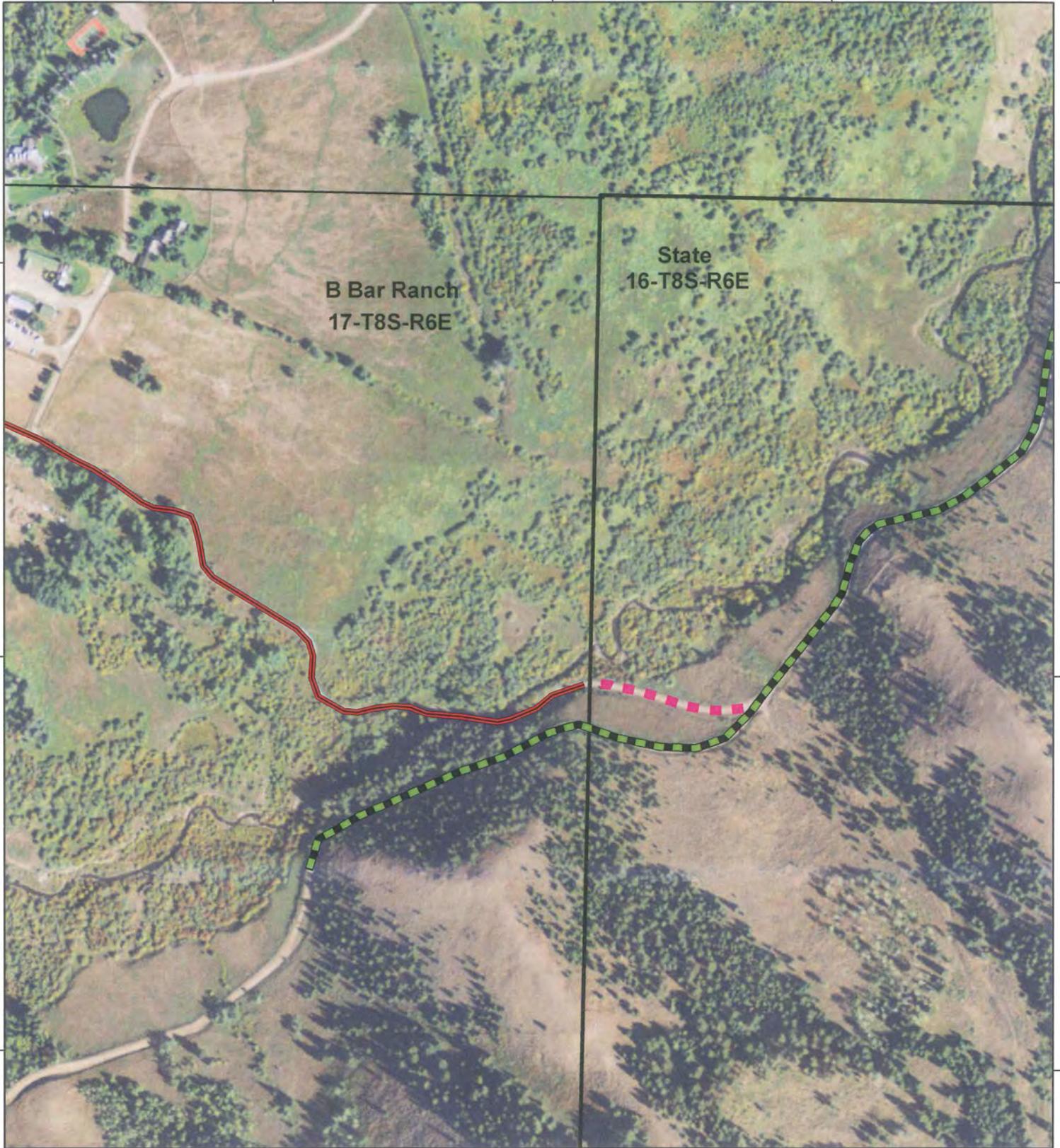
Project Area



Access Roads



ATTACHMENT A - Site Map
Proposed B Bar Ranch Land Use License
Section 16-T8S-R6E, Park County



0 125 250 500
Feet

1:5,000

Private Access Road



County Road

Proposed Road Use



ATTACHMENT F

B BAR RANCH LAND USE LICENSE CHECKLIST FOR ENDANGERED, THREATENED AND SENSITIVE SPEICES CENTRAL LAND OFFICE

Prepared by Chuck Barone

September 21, 2015

Threatened and Endangered Species	[Y/N] Potential Impacts and Mitigation Measures N = Not Present or No Impact is Likely to Occur Y = Impacts May Occur (Explain Below)
<p>Canada Lynx (<i>Lynx canadensis</i>) Habitat: dense spruce/fir forest supporting snowshoe hares.</p>	<p>[N] The proposed project area is located along the fringes of preferred lynx habitat. Habitats high in coarse woody debris that are preferred for denning, and large acreages (>50 acres) of dense conifer regeneration at high elevations that are preferred for foraging are not present in the project area but is present in the surrounding area. The predominant cover types within the project area do not contain high horizontal cover comprised of subalpine and spruce bows. Considering the limited presence of several habitat attributes within the project area that are known to be important for lynx and snowshoe hares (e.g. dense overstory canopy, dense shrubs and downed logs), habitat in this area is likely suited at best as travel habitat or matrix habitat that would facilitate movement, linkage, and provide habitat for secondary prey species. Preferred lynx habitat is not present within the proposed project area due to the lack of highly desirable habitat conditions for lynx and their primary prey, snowshoe hares. Adverse direct, indirect or cumulative impacts to lynx as a result of this project are expected to be negligible.</p>
<p>Grizzly Bear (<i>Ursus arctos</i>) Habitat: recovery areas, security from human activity</p>	<p>[Y] The Yellowstone Grizzly Bear Recovery Zone (USFWS 1993) boundary is located along the south property line of the section where the proposed project area lies. The surrounding area has been identified as potential grizzly bear denning habitat. Grizzly bear use of the Tom Miner Basin does occur and the project area is located in what is considered occupied habitat (Interagency Occupied Habitat Map, September 2002). Riparian habitats preferred by bears do occur along Tom Miner Creek and within the State section. Human access levels are presently moderate to high due to the adjacent private lands, residential structures and public access along the county road within the project area. The road involved in the project is presently licensed and receives moderate use. No new road would be constructed. In association with activities, food storage measures would also be required and firearms restrictions would be applied. The proposed project activities would not occur from March 15 -</p>

	June 15. Potential for any measurable increases in bear-human conflicts following project activities are not expected. Due to the scope, scale, nature and location of the proposed project, activities associated with this proposal are not expected to affect grizzly bears. Adverse direct, indirect and cumulative impacts to grizzly bears as a result of this project are expected to be minimal.
Wolverine (<i>Gulo gulo</i>) Habitat: High elevation cirque basins and zones with persistent snow in late spring	[N] The proposed project area falls within the range of wolverines. The DNRC is not aware of any specific observations of wolverines associated with the proposed project area; however, periodic or transient use of the proposed project area could occur. High elevation areas with persistent snow late into the spring do occur in the project area. Due to the scope, scale, nature, and location of the proposed project, activities associated with this proposal are expected to have minimal effect on wolverines.

DNRC Sensitive Species	[Y/N] Potential Impacts and Mitigation Measures N = Not Present or No Impact is Likely to Occur Y = Impacts May Occur (Explain Below)
Bald Eagle (<i>Haliaeetus leucocephalus</i>) Habitat: late-successional forest <1 mile from open water	[N] Bald Eagles have been documented within the area that encompasses the proposed project area (MNHP/FWP Montana Field Guide 2015 and MNHP 2015). No Bald Eagle nests were observed on the State parcel. Feeding areas, roosting areas or suitable nesting habitat do occur on or within one mile of the proposed project area. Due to the scope, scale, nature and location of this proposed project, no direct, indirect or cumulative effects to Bald Eagles associated with this project are anticipated.
Black-Backed Woodpecker (<i>Picoides arcticus</i>) Habitat: Habitat: mature to old burned forest	[N] Black-backed woodpeckers have been documented within the area that encompasses the proposed project area (MNHP/FWP Montana Field Guide 2015 and MNHP 2015). Forested stands are negligible within the proposed project area. Recent burns within the last 5 years have occurred within 1 mile of the project area and stands found within the proposed project area are presently experiencing insect activity and could attract birds. Regionally insect activity is abundant at the landscape scale and not likely to be limiting for black-backed woodpeckers. Due to the scope, scale, nature and location of this proposed project, no direct, indirect or cumulative effects to black-backed woodpeckers would be expected to occur.

<p>Black-tailed Prairie Dog (<i>Cynomys ludovicianus</i>) Habitat: Prairie, shortgrass prairie, badlands</p>	<p>[N] Black-tailed prairie dogs have not been documented in the project area or surrounding area (MNHP/FWP Montana Field Guide 2015 and MNHP 2015). No grassland habitat suitable for use by black-tailed prairie dogs occurs in or near the project area. No direct, indirect or cumulative effects to prairie dogs would be anticipated under the proposed action.</p>
<p>Flammulated Owl (<i>Otus flammeolus</i>) Habitat: late-successional ponderosa pine and Doug.-fir forest</p>	<p>[N] Flammulated Owls have not been documented within the area that encompasses the proposed project area (MNHP/FWP Montana Field Guide 2015 and MNHP 2015). The parcels involved in the proposed project do not maintain the forest habitat types preferred by Flammulated Owls. No direct, indirect or cumulative effects to Flammulated Owls would be anticipated under the proposed action.</p>
<p>Gray Wolf (<i>Canis lupus</i>) Habitat: ample big game pops., security from human activity</p>	<p>[N] The proposed project area falls within the Greater Yellowstone Experimental Area for gray wolves. Several packs reside in the vicinity of the project area but no known denning or rendezvous sites occur within 1 mile of the project area. However, wolves may occasionally use the project area and occasional sightings have been noted in the area. Minimal risk of direct, indirect or cumulative effects that would result in harm to wolves would be anticipated under the alternatives considered. If wolves or an active den site were detected in the immediate area, operations would cease, and a DNRC biologist would be consulted. Appropriate mitigations would be developed and applied prior to resuming activities.</p>
<p>Greater Sage-grouse (<i>Centrocercus urophasianus</i>) Habitat: sagebrush semi-desert</p>	<p>[N] Sage Grouse have been documented in the area that encompasses the proposed project area (MNHP/FWP Montana Field Guide 2015 and MNHP 2015). Sagebrush semi-desert habitats suitable for use by Sage Grouse do occur within one mile of the project area but no leks, lek areas or core areas have been identified within one mile of the project area. Should sage grouse be present in the vicinity of the project area, any effects to habitat or disturbance-related effects would be expected to be minimal and preferred sagebrush habitat would not be altered. Impacts to Sage Grouse are not anticipated.</p>
<p>Harlequin Duck (<i>Histrionicus histrionicus</i>) Habitat: white-water streams, boulder and cobble substrates</p>	<p>[N] Harlequin ducks have been documented within the Yellowstone River corridor adjacent to the proposed project area (MNHP/FWP Montana Field Guide 2015 and MNHP 2015). High gradient streams suitable for use by harlequins do occur within the project area. Due to the scope, scale, nature and location of this proposed project, no impacts to Harlequin Ducks would be expected to occur as a result of this project.</p>

<p>Mountain Plover (<i>Charadrius montanus</i>) Habitat: short-grass prairie, alkaline flats, prairie dog towns</p>	<p>[N] Mountain Plovers have not been documented within the area that encompasses the proposed project area (MNHP/FWP Montana Field Guide 2015 and MNHP 2015). No short-grass prairie or prairie dog towns occur on, or within one mile of the proposed project area. No impacts to Mountain Plovers are expected as a result of this project.</p>
<p>Northern Bog Lemming (<i>Synaptomys borealis</i>) Habitat: sphagnum meadows, bogs, fens with thick moss mats</p>	<p>[N] No sphagnum meadows, bogs or fens occur within or near the project area, and the project area occurs outside of the known distribution of northern bog lemmings in Montana (MNHP/FWP Montana Field Guide 2015 and MNHP 2015). No direct, indirect or cumulative effects to bog lemmings would be anticipated under the proposed action.</p>
<p>Peregrine Falcon (<i>Falco peregrinus</i>) Habitat: cliff features near open foraging areas and/or wetlands</p>	<p>[N] Peregrine Falcons have been documented within the area that encompasses the proposed project area (MNHP/FWP Montana Field Guide 2015 and MNHP 2015). No cliff features but suitable foraging areas do occur within 0.75 miles of the State parcels. No known nest sites occur within or near the project area. No direct, indirect or cumulative effects to peregrine falcons would be anticipated under the proposed action.</p>
<p>Pileated Woodpecker (<i>Dryocopus pileatus</i>) Habitat: late-successional ponderosa pine and larch-fir forest</p>	<p>[N] Pileated Woodpeckers have not been documented within the area that encompasses the proposed project area (MNHP/FWP Montana Field Guide 2015 and MNHP 2015). The project area does occur within the normal distribution of pileated woodpeckers in Montana. No direct, indirect or cumulative effects to pileated woodpeckers would be anticipated under the proposed action.</p>
<p>Townsend's Big-Eared Bat (<i>Plecotus townsendii</i>) Habitat: caves, caverns, old mines</p>	<p>[N] No known caves, caverns, or old mines suitable for use by bats occur within 1 mile of the project area. No direct, indirect or cumulative effects to Townsend's big-eared bats would be anticipated under the proposed action.</p>

*Montana National Heritage Program/ FWP Montana Field Guide 2015. National Heritage Tracker 2015.