CHECKLIST ENVIRONMENTAL ASSESSMENT

Project Name:	Nahmis Avenue Riprap & Bendway Weirs LUL# 6195
Proposed Implementation Date:	May 2011
Proponent:	Yellowstone County Public Works
Location:	SE¼SW¼ of Section 24, Township 2 North, Range 27 East (Yellowstone River)
County:	Yellowstone

I. TYPE AND PURPOSE OF ACTION

The Proponent has applied to the DNRC for a Land Use License (LUL) for the purpose of installing two (2) 100' bendway weirs and 300 linear feet of riprap in the Yellowstone River near Huntley. The proposed project is located in Yellowstone County in the SE¼SW¼ of Section 24-T2N-R27E. The purpose of the project is to stabilize the eastern bank of the Yellowstone River near Nahmis Avenue in the Huntley Townsite. The Yellowstone River is currently eroding this bank and is beginning to threaten Nahmis Avenue. The weirs would be approximately 200' apart and extend 100' into the channel. The construction activities for the two weirs and riprap of the bank would consist of depositing approximately a total of 2,500 cubic yards of sandstone rock into the River. Project activities are expected to occur in May 2011.

II. PROJECT DEVELOPMENT

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

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

Agencies involved include the Montana Fish, Wildlife & Parks, Army Corp of Engineers, Yellowstone County Conservation District, Yellowstone County, U.S. Army Corps of Engineers, Montana Department of Environmental Quality, and the Montana Natural Heritage program. No formal public scoping was performed for this License request.

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

Montana Department of Fish, Wildlife & Parks (SPA 124 Permit); U.S. Army Corps of Engineers (Section 404 Permit); Yellowstone County Floodplain Permit and the Montana Department of Environmental Quality (318 Authorization).

3. ALTERNATIVES CONSIDERED:

Proposed Alternative: Issue a Land Use License for the purpose of installing two (2) 100' bendway weirs and 300 linear feet of riprap in the Yellowstone River to prevent erosion into Nahmis Avenue.

No-Action Alternative: A Land Use License would not be issued.

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 proposed action would permit the construction of two (2) 100' bendway weirs into the Yellowstone River along with riprap on 300 linear feet of the eastern bank of the Yellowstone River. The weirs could each contain between 175-200 cubic yards of sandstone rock while approximately 2,300 cubic yards of sandstone rock would be placed along the eastern bank to limit erosion. Construction is expected to occur in May 2011 once all necessary permits are secured (SPA 124 Permit, 404 permit, floodplain permit and 318 authorization). Due to the short duration of the proposed activities, no significant impacts to geology and soil quality are anticipated as a result of implementing the proposed alternative.

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 construction of two (2) 100' bendway weirs and the installation of 300 linear feet of riprap will cause some disturbance to the riverbed of the Yellowstone River. The project is needed to stabilize the existing bank and to prevent further erosion that would threaten Nahmis Avenue, which is a major roadway in the Huntley Townsite. Construction is expected to occur in May 2011 once all necessary permits are secured (SPA 124 Permit, 404 permit, floodplain permit and 318 authorization). Due to the short duration of the proposed activities, no significant impacts to water quality, quantity and distribution are anticipated as a result of implementing the proposed alternative.

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.

A short duration increase in pollutants and particulates would occur from heavy machinery during the proposed activities. No significant impacts to air quality are anticipated by implementing the proposed action.

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 proposed project on State property is located within the bed of the Yellowstone River where there is no vegetation cover. No significant impacts to vegetation cover are anticipated by implementing the proposed action.

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.

This area is frequented by a variety of fish, big game, small mammals, raptors and songbirds. There may be some temporary wildlife disruption during construction and installation of the weirs and riprap. Due to the short duration of the proposed activities, no significant impacts to terrestrial, avian and aquatic life and habitats are anticipated as a result of implementing the proposed alternative.

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 five vertebrate animals listed as a species of concern or threatened species: Bald Eagle, Pinyon Jay, Sauger, Spiny Softshell, and Common Sagebrush Lizard.

Bald eagles are listed as a species of concern and are known to populate areas along the Yellowstone River. Due to the short duration of the proposed project activities, no significant impacts are anticipated.

Pinyon Jay is listed as a species of concern. The Montana Field Guide does not contain much information on the Pinyon Jay, but other sources indicate that the preferred habitat is dissimilar to the proposed project area, therefore, no significant impacts are anticipated.

Sauger is listed as a species of concern and exists year-round within the proposed project area. Due to the short duration of the proposed project activities, no significant impacts are anticipated.

Spiny softshell is listed as a species of concern and known to exist within the proposed project area. The Montana Field Guide states that nesting typically occurs in late May to June, at which time the project should be complete. Due to the short duration of the proposed project activities, no significant impacts are anticipated.

Common sagebrush lizard is listed as a species of concern and has not been observed in the project area. The preferred habitat of the common sagebrush lizard is not consistent with the project area. No significant impacts are anticipated,

10. HISTORICAL AND ARCHAEOLOGICAL SITES:
Identify and determine effects to historical, archaeological or paleontological resources.

The proposed project is located within the low water marks of the Yellowstone River. No significant impacts to historical and archaeological sites are anticipated by implementing the proposed action.

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 site is located on the western edge of the Huntley Townsite and approximately ¼ to ½ mile upstream of the Highway 312 Bridge. The proposed project is not of a large enough scale to be readily visible and even then, it will be constructed of sandstone rock. No significant impacts to aesthetics are anticipated by implementing the proposed action.

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.

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 projects in the area that have not already undergone MEPA review.

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 significant adverse impacts to human health and safety would occur as a result of implementing the proposed alternative.

15. INDUSTRIAL, COMMERCIAL AND AGRICULTURE ACTIVITIES AND PRODUCTION:
Identify how the project would add to or alter these activities.

The proposed action would not have a significant impact on industrial, commercial and agricultural activities and 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 action would not have a significant impact on employment.

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.

No Impact.

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.

No Impact.

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.

Yellowstone County does have an adopted Growth Policy that covers the entire County and the proposed alternative does not conflict with it. In addition, the subject property is not in an area that is zoned by Yellowstone County.

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 area is within the low water marks of the Yellowstone River and access would remain unchanged after the proposed action is implemented. No significant impacts are anticipated by implementing the proposed action.

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 Impact.

22. SOCIAL STRUCTURES AND MORES:
Identify potential disruption of native or traditional lifestyles or communities.

No Impact.

23. CULTURAL UNIQUENESS AND DIVERSITY:
How would the action affect any unique quality of the area?

No Impact.

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 proposed action has provided $25 via a Land Use License application fee and would provide a one-time $150 rental fee.

EA Checklist Prepared By:	**Name:** Jeff Bollman	**Date:** 2 May 2011
	Title: Southern Land Office Acting Area Manager/Planner	

V. FINDING

25. ALTERNATIVE SELECTED:

The proposed alternative has been selected and it is recommended that a Land Use License (LUL) be issued to the Yellowstone County for the purpose of installing two (2) 100' bendway weirs and 300 linear feet of riprap in the Yellowstone River in Section 24-T2N-R27E. The proposed project is needed to stabilize the existing bank and to prevent further erosion that could threaten Nahmis Avenue, a major roadway in the Huntley Townsite. This alternative can be implemented in a manner that is consistent with the long-term sustainable natural resource management of the area.

26. SIGNIFICANCE OF POTENTIAL IMPACTS:

The potential for significant adverse impacts is minimal for the proposed project. Potential adverse impacts will be avoided or mitigated by the project size, short construction duration, and timing.

Mitigation measures:

1. All in-river work shall be completed in an expeditious manner to avoid unnecessary impacts to the river.

2. Licensee must carry general liability insurance for all its activities upon the tract that lists the Licensee and the State as co-insured. The minimum coverage shall be in the amount of $1,000,000 combined single limit per occurrence.

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 permits will be secured before any activities begin.

27. NEED FOR FURTHER ENVIRONMENTAL ANALYSIS:

[ ] EIS	[ ] More Detailed EA	[X] No Further Analysis

EA Checklist Approved By:	**Name:** Gary Brandenburg **Title:** Southern Land Office Land Use Specialist	
Signature: /s/ Gary Brandenburg		**Date**: 5-2-11