

CHECKLIST ENVIRONMENTAL ASSESSMENT

Project Name:	Rosh Riprap Land Use License
Proposed Implementation Date:	September 2012
Proponent:	Steven Rosh
Location:	NW¼ of Section 26, Township 4 North, Range 32 East (Yellowstone River)
County:	Yellowstone

I. TYPE AND PURPOSE OF ACTION

The Proponent has applied to the DNRC for a Land Use License to install riprap along the bank of the navigable Yellowstone River for approximately 230 lineal feet to stabilize the bank and slow the erosion of property/farmland. This 230' stretch would be within the low water mark of the Yellowstone River in Section 26-T4N-R32E. Project activities would occur during low water flow and the entire project would require approximately a week to complete.

II. PROJECT DEVELOPMENT

1. PUBLIC INVOLVEMENT, AGENCIES, GROUPS OR INDIVIDUALS CONTACTED:
Provide a brief chronology of the scoping and ongoing involvement for this project.

No formal public scoping was performed for this Land Use License request.

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

Yellowstone County Conservation District (310 Permit)
Montana Department of Fish, Wildlife & Parks (SPA 124 Permit)
U.S. Army Corps of Engineers (Section 404 Permit)
Yellowstone County Floodplain Permit
Montana Department of Environmental Quality (318 Authorization).

3. ALTERNATIVES CONSIDERED:

Proposed Alternative: Issue a Land Use License for the purpose of installing 230 linear feet of riprap along the bank, below the low water mark, of the Yellowstone River to prevent erosion of property/farmland.

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 project would permit the installation of 230 linear feet of riprap on the southern bank, below the low water mark, of the Yellowstone River. An excavator would perform the proposed work from the top of the

river bank on private land and only the excavator bucket would be within the river banks. Construction is expected to occur in September 2012 once all necessary permits are secured (310 permit, Floodplain permit, 404 permit, and 318 authorization). All activities would occur during low water flow. 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 installation of 230 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 the adjacent private property/farmland. Construction is expected to occur in September 2012 once all necessary permits are secured (310 permit, 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 riprap. Due to the short duration of the proposed activities during low water flow, 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 eight vertebrate animals listed as a species of concern or threatened species: Bald Eagle, Great Blue Heron, Red-headed Woodpecker, Sauger, Hoary Bat, Black-tailed Prairie Dog, 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.

Great Blue Heron is 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.

Red-headed Woodpecker is listed as a species of concern and has not been systemically studied in Montana, according to the Montana Field Guide. However, they are usually found along large rivers and there has been at least one observation approximately one mile south of the project site. The Field Guide states that they typically leave Montana around mid-September. Due to this fact and the short duration of the proposed project activities, 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.

Hoary Bat is listed as a species of concern and is only a summer resident of Montana, according to the Montana Field Guide. Normal departure dates are not certain, but are usually in September. The Hoary Bat forages over water sources and may traverse the project site. Due to the short duration of the proposed project activities, no significant impacts are anticipated.

Black-tailed Prairie Dog is listed as a species of concern and a town has been identified north of the project site, across the Yellowstone River. Since the work on the State-owned land is only the area below the low water mark of the Yellowstone River, no significant impacts to the prairie dog are expected.

Spiny softshell is listed as a species of concern and may exist within the proposed project area or this reach of the Yellowstone River. 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 been observed south of the project area, on the other opposite side of Interstate 90. The preferred habitat of the common sagebrush lizard, rocky outcroppings, is not consistent with the project area, which is a disturbed agricultural field. 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 below the low water mark 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 approximately ½-mile downriver from the developed portion of the Captain Clark Fishing Access Site. The subject property currently has 60 linear feet of riprap, while the current proposal would add 230' to that length. Additional riprap would not be out of character with areas along the Yellowstone River. 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 are expected to 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 project would allow the installation of riprap that would protect an existing irrigated agricultural field from further migration of a channel of the Yellowstone River. The proposed action is not expected to 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 will not have a significant adverse impact on the quantity and distribution of 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.

The proposed action will not have an adverse impact on tax revenue.

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.

The implementation of the proposed alternative will not generate any additional demands on governmental services.

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 not be impacted by implementation of the proposed action. The proposed project site is located approximately ½-mile downriver from the developed portion of the Captain Clark Fishing Access Site, so there may be minor impacts to the use of the FAS from noise during installation of the riprap. 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 significant adverse impacts to density and distribution of population and housing would occur as a result of implementing the proposed alternative.

22. SOCIAL STRUCTURES AND MORES:

Identify potential disruption of native or traditional lifestyles or communities.

There are no native, unique or traditional lifestyles or communities in the vicinity that would be impacted by the proposed alternative.

23. CULTURAL UNIQUENESS AND DIVERSITY:

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

The proposed alternative will not have a significant adverse impact on cultural uniqueness or diversity.

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: 14 September 2012
	Title: Southern Land Office Area Planner	

V. FINDING

25. ALTERNATIVE SELECTED:

After review, the proposed alternative has been selected which grants a Land Use License (LUL) to Steven Rosh for the purpose of installing approximately 230 lineal feet riprap along the south bank of the navigable Yellowstone River to stabilize the bank and slow the erosion of property/farmland. This 230' stretch would be below the low water mark of the Yellowstone River in the NW¼ of Section 26-T4N-R32E. This alternative can be implemented in a manner that is consistent with the long-term sustainable natural resource management of the area.

2. SIGNIFICANCE OF POTENTIAL IMPACTS:

I conclude all identified potential impacts will be avoided or mitigated by the securing of appropriate permits, short project duration, timing, and no significant impacts will occur as a result of implementing the selected alternative.

Mitigation measures:

- 1. All in-river work shall be completed in an expeditious manner to avoid unnecessary impacts to the river.
- 2. 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.
- 3. To prevent leaks of petroleum products into the river, no defective equipment shall be operated in the river or adjacent areas.
- 4. All necessary permits will be secured before any activities begin.

2. NEED FOR FURTHER ENVIRONMENTAL ANALYSIS:

EIS More Detailed EA No Further Analysis

EA Checklist Approved By:	Name: Matthew Wolcott Title: Southern Land Office Area Manager
Signature: /s/ Matthew Wolcott	Date: September 16, 2012