

DS-97

STATE OF MONTANA  
Department of State Lands  
**ALTERNATIVE PRACTICE REQUEST**

Owner: Joan Christensen

Address 760 Hamoaka Dr Troy Montana 59935 Phone Number 208 290 0400

Operator: Stapley Contracting

	Name	Phone Number
Address: <u>PO Box 701 Troy MT 59935</u>		<u>406 295 7900</u>

Site-Specific Alternative Practice Requested: To Operate Wheeled or Tracked Equipment in the SMZ. It is requested to drive a rubber tired skidder and a slide boom log processor across Porcupine Creek. The log processor will be positioned within 20 feet of the creek and will pick up processed logs and suspend them over the creek. The logs will be skidded out of the SMZ by a rubber tired skidder. The equipment will stay at least 20 feet from the creek except to transport 2 pieces of equipment back and forth across the creek.

Explanation and Justification for Alternative Practice: The property is land locked and there is no roads accessing the east 1/2 of the property. The adjacent landowner will not allow access across his property. One option is to install a culvert and build a road to cross the stream. This would create more impacts to the stream.

Planned Mitigation Measures: The equipment will only cross back and forth across the stream once for access. The log boom processor will stay 20 feet back from the stream to suspend logs across the stream. Soils will be frozen. A slash mat or log corduroy will be installed where the log processor will operate. Disturbed soils will be mulched and grass seeded after the job is completed.

Starting Date: 12/8/2012

Completion Date: 3/1/2012

The following questions refer to the area where the alternative practice will be performed.

Legal Description: NE 1/4 NW 1/4 NW 1/4 Sec 29, T30N, R33W, .Lineal Extent Along Stream: 20 feet SMZ  
% Slope: <25% SMZ Width: 50 feet  
Stream Class: (Circle) One  Two  Three  Wetlands: Yes

INCLUDE A TOPO MAP showing the logging unit boundaries, alternative practice area boundaries, streams, wetlands, and existing and/or proposed roads.

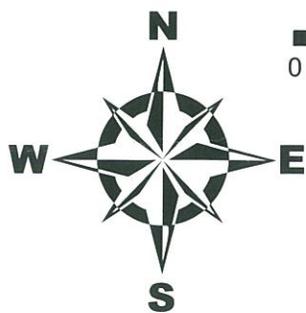
Approved alternative practices, including any additional conditions approved by DNRC, shall have the same force and authority as the standards contained in 77-5-303, MCA, and shall be enforceable by DSL under 77-5-305, MCA, to the same extent as such standards.

APPLICANT SIGNATURE:

Inaccurate or incomplete information will affect the ability to evaluate this alternative practice.

*Stapley Cont Inc. / [Signature]* 11-29-2012

# Stapley - Christiansen Alternative Practice N1/2, NW 1/4 NW 1/4 Sec. 29 T30N, R33W



1 in = 250 ft

Legend	
	Property Line
	Alternative Practice Area

DEPARTMENT OF NATURAL RESOURCES  
AND CONSERVATION  
LIBBY UNIT OFFICE



BRIAN SCHWEITZER, GOVERNOR

STATE OF MONTANA

PHONE (406) 293-2711  
FAX (406) 293-9307

177 State Lands Office Road,  
LIBBY, MT 59923

November 28, 2012

Stapley Contacting  
P O Box 701  
Troy, Montana 59935

Dear Bart,

This letter is in reference to your request to the Department of Natural Resources and Conservation (DNRC) for an Alternative Practice to the Streamside Management Zone Law in Sections 29, T30N, R33W. After review of the Checklist Environmental Assessment prepared for this request, the Alternative Practice to allow Equipment operation in the SMZ is hereby approved, subject to the following conditions:

1. The alternative practice(s) are approved for a period of two years from the date of issuance, and cover the sections described in the legal description.
2. All SMZ's must be flagged prior to logging.
3. A 310 Permit must be issued for equipment to cross the stream or to modify or alter the stream banks
4. Equipment will be operated during frozen and snow covered conditions.
5. A slash mat or log corduroy will be installed where the slide boom de-limber will operate to minimize soil disturbance.
6. The logging equipment will stay at least 20 feet way from the stream channel except to cross the stream
7. A slash filter windrow or straw much must be installed on each side of the creek at crossing points after skidding is completed to prevent sediment from reaching the stream.
8. Areas in the SMZ will be grass seed if there is more than 40% of the bare mineral soil is exposed.

Conditions #1, 2 and 3 must be completed prior to the start of logging operations. Conditions # 7 and 8 must be completed on completion of logging and hauling operations or before Spring break up. Conditions 4, 5 and 6 should be monitored during the logging operation.

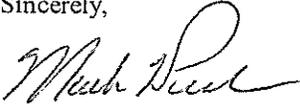
Approved alternative practices, including any additional conditions required by DNRC, shall have the same force and authority as the standards contained in 77-5-303, MCA, and be enforceable by DNRC under 77-5-303, MCA, to the same extent as such standards.

It is your responsibility to ensure that your operator(s) understand that an alternative practice has been issued for their operations in this area, and these conditions must be fully met to achieve compliance with the SMZ Law.

**This approval is contingent upon your execution and return of the attached statement to the DNRC Libby Unit Office. No actions related to this alternative practice are to be taken until the statement is returned to DNRC.**

Thank you for your cooperation in this matter. Please call me if you have any questions.

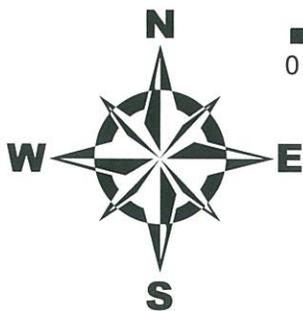
Sincerely,

A handwritten signature in black ink, appearing to read "Mark Peck". The signature is written in a cursive style with a large, looping initial "M".

Mark Peck  
Libby Unit Manager  
DNRC

Pc: Alternative Practice file  
Area Office  
Service Forestry Bureau  
Environmental Quality Council

# Stapley - Christiansen Alternative Practice N1/2, NW 1/4 NW 1/4 Sec. 29 T30N, R33W



1 in = 250 ft

Legend	
	Property Line
	Alternative Practice Area

**Alternative Practice Responsibility Affidavit**

Sale Name: Stapley- Christiansen Porcupine Creek Timber Sale

In consideration of DNRC's approval of the alternative practice(s) in Section 29, T33N, R30W. I hereby certify that I, or by written contract the legal entity I represent, am responsible for compliance with Montana's Streamside Management Zone Law. I understand that failure to implement any of the mitigation measures required by DNRC will be considered a violation of the SMZ Law (77-5-301), and may result in penalties assessed against me or the legal entity I represent.

Stapley Cont Inc / [Signature]  
SIGNATURE OF RESPONSIBLE PARTY

11-29-2012  
DATE